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# ILLINOIS REGISTER

## Rules of Governmental Agencies

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## INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 127, pars. 1001 et seq., as amended).

## REGISTER PUBLICATION SCHEDULE 1991

Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:
Dec. 18, 1990	Dec. 24, 1990	1	Jan. 4, 1991	June 25, 1991	July 2, 1991	28	July 12, 1991
Dec. 24, 1990	Dec. 31, 1990	2	Jan. 11, 1991	July 2, 1991	July 9, 1991	29	July 19, 1991
Dec. 31, 1990	Jan. 8, 1991	3	Jan. 18, 1991	July 9, 1991	July 16, 1991	30	July 26, 1991
Jan. 8, 1991	Jan. 15, 1991	4	Jan. 25, 1991	July 16, 1991	July 23, 1991	31	Aug. 2, 1991
Jan. 15, 1991	Jan. 22, 1991	5	Feb. 1, 1991	July 23, 1991	July 30, 1991	32	Aug. 9, 1991
Jan. 22, 1991	Jan. 29, 1991	6	Feb. 8, 1991	July 30, 1991	Aug. 6, 1991	33	Aug. 16, 1991
Jan. 29, 1991	Feb. 5, 1991	7	Feb. 15, 1991	Aug. 6, 1991	Aug. 13, 1991	34	Aug. 23, 1991
Feb. 5, 1991	Feb. 11, 1991	8	Feb. 22, 1991	Aug. 13, 1991	Aug. 20, 1991	35	Aug. 30, 1991
Feb. 11, 1991	Feb. 19, 1991	9	Mar. 1, 1991	Aug. 20, 1991	Aug. 27, 1991	36	Sept. 6, 1991
Feb. 19, 1991	Feb. 26, 1991	10	Mar. 8, 1991	Aug. 27, 1991	Sept. 3, 1991	37	Sept. 13, 1991
Feb. 26, 1991	Mar. 5, 1991	11	Mar. 15, 1991	Sept. 3, 1991	Sept. 10, 1991	38	Sept. 20, 1991
Mar. 5, 1991	Mar. 12, 1991	12	Mar. 22, 1991	Sept. 10, 1991	Sept. 17, 1991	39	Sept. 27, 1991
Mar. 12, 1991	Mar. 19, 1991	13	Mar. 29, 1991	Sept. 17, 1991	Sept. 24, 1991	40	Oct. 4, 1991
Mar. 19, 1991	Mar. 26, 1991	14	Apr. 5, 1991	Sept. 24, 1991	Oct. 1, 1991	41	Oct. 11, 1991
Mar. 26, 1991	Apr. 2, 1991	15	Apr. 12, 1991	Oct. 1, 1991	Oct. 8, 1991	42	Oct. 18, 1991
Apr. 2, 1991	Apr. 9, 1991	16	Apr. 19, 1991	Oct. 8, 1991	Oct. 15, 1991	43	Oct. 25, 1991
Apr. 9, 1991	Apr. 16, 1991	17	Apr. 26, 1991	Oct. 15, 1991	Oct. 22, 1991	44	Nov. 1, 1991
Apr. 16, 1991	Apr. 23, 1991	18	May 3, 1991	Oct. 22, 1991	Oct. 29, 1991	45	Nov. 8, 1991
Apr. 23, 1991	Apr. 30, 1991	19	May 10, 1991	Oct. 29, 1991	Nov. 5, 1991	46	Nov. 15, 1991
Apr. 30, 1991	May 7, 1991	20	May 17, 1991	Nov. 5, 1991	Nov. 12, 1991	47	Nov. 22, 1991
May 7, 1991	May 14, 1991	21	May 24, 1991	Nov. 12, 1991	Nov. 19, 1991	48	Dec. 2, 1991 (Mon.)
May 14, 1991	May 21, 1991	22	May 31, 1991	Nov. 19, 1991	Nov. 26, 1991	49	Dec. 6, 1991
May 21, 1991	May 28, 1991	23	June 7, 1991	Nov. 26, 1991	Dec. 3, 1991	50	Dec. 13, 1991
May 28, 1991	June 4, 1991	24	June 14, 1991	Dec. 3, 1991	Dec. 10, 1991	51	Dec. 20, 1991
June 4, 1991	June 11, 1991	25	June 21, 1991	Dec. 10, 1991	Dec. 17, 1991	52	Dec. 27, 1991
June 11, 1991	June 18, 1991	26	June 28, 1991	Dec. 17, 1991	Dec. 24, 1991	1	Jan. 3, 1992
June 18, 1991	June 25, 1991	27	July 5, 1991	Dec. 24, 1991	Dec. 31, 1991	2	Jan. 10, 1992

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).







## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Local Tourism and Convention Bureau Program

2) Code Citation: 14 Ill. Adm. Code 550

3) Section Numbers: 550.35  
Proposed Action: Amendment

4) Statutory Authority: Implementing Section 46.6a of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 46.6a) and Section 8.25 of "AN ACT in relation to State finance" (Ill. Rev. Stat. 1989 Supp., ch. 127, par. 144.25) and authorized by Section 46.20 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 46.20).

5) A Complete Description of the Subjects and Issues Involved: This rulemaking amends the eligibility requirements of applicants for certification or recertification to receive grant funds under the Local Tourism and Convention Bureau Program to provide department standards and criteria to be used in determining whether an applicant bureau's service area includes areas that have historically or geographically consistent tourism goals. This amendment will ensure that the department is able to distribute the total grant funds available throughout the State in a fair and equitable manner.

6) Will these proposed amendments replace an emergency amendment currently in effect? Yes.

7) Does this rulemaking contain an automatic repeal date? No.

8) Do these proposed amendments contain incorporations by reference? No.

9) Are there any proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1989, ch. 85, par. 2203).

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after this edition of the Illinois Register to the following:

Mr. John D. Taylor, Deputy Director  
Department of Commerce and Community Affairs  
Bureau of Program Administration  
620 East Adams Street, 5th floor  
Springfield, Illinois 62701  
(217) 782-6136

## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## NOTICE OF PROPOSED AMENDMENTS

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: June 26, 1991.

B) Types of small businesses and small municipalities affected: All convention and visitors bureaus which participate in this program are not-for-profits and are therefore considered to be small businesses in accordance with the Illinois Administrative Procedure Act. These bureaus may be affiliated with one or more municipalities (small or large) or counties which would act as the grantee or the bureaus may receive funds directly.

C) Reporting, bookkeeping or other procedures required for compliance: This rulemaking imposes no additional reporting, bookkeeping or other procedures required for compliance.

D) Types of professional skills necessary for compliance: Bureau staff possess the necessary skills for compliance.

The full text of the Proposed Amendments is the same as the text of Emergency Amendments appearing on page 10500 of this Illinois Register:

1) HEADING OF THE PART: Public Use of State Parks and Other Properties of the Department of Conservation

2) CODE CITATION: 17 Ill. Adm. Code 110

3) SECTION NUMBERS:  
110.5  
110.175  
PROPOSED ACTION:  
Amendment  
New Section

4) STATUTORY AUTHORITY: Implementing and authorized by Section 8 of "AN ACT in relation to State forests, operation of forest tree nurseries, and providing penalties in connection therewith", (Ill. Rev. Stat. 1989, ch. 96 1/2, par. 5911); and by Sections 1, 4, and 6 and of "AN ACT in relation to the acquisition, control, maintenance, improvement and protection of State parks and nature preserves", approved June 26, 1925, as amended (Ill. Rev. Stat. 1989, ch. 105, pars. 465, 465a, 466, 468, 468b, and 468k); and by Sections 63a, 6311, 63a15, 63a18, and 63a28 of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, pars. 63a, 63a1, 63a15, 63a18, and 63a28).

5) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED:  
A "nude sunbathing" case was lost in Lake County (Illinois Beach State Park) because the officer could not show a law or rule prohibiting the activity. This new Section prohibits nude sunbathing or public genital exposure.

6) WILL THESE PROPOSED AMENDMENTS REPLACE AN EMERGENCY RULE CURRENTLY IN EFFECT? No

7) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

8) DO THESE PROPOSED AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No

9) ARE THERE ANY OTHER PROPOSED AMENDMENTS PENDING ON THIS PART?  
No

10) STATEMENT OF STATEWIDE POLICY OBJECTIVES: This rule has no impact on local governments.

11) TIME, PLACE AND MANNER IN WHICH INTERESTED PERSONS MAY COMMENT ON THIS PROPOSED RULEMAKING: Comments on the proposed rule may be submitted in writing for a period of 30 days following publication of this notice to:

ILLINOIS REGISTER

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

Jack Price  
Department of Conservation  
524 S. Second Street, Room 485  
Springfield, IL 62701-1787

12) INITIAL REGULATORY FLEXIBILITY ANALYSIS: This rule has no impact on small businesses or municipalities.

THE FULL TEXT OF THE PROPOSED AMENDMENTS BEGINS ON THE NEXT PAGE.

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION  
CHAPTER 1: DEPARTMENT OF CONSERVATION  
SUBCHAPTER a: LANDS AND HISTORIC SITES

PART 110  
PUBLIC USE OF STATE PARKS AND OTHER PROPERTIES OF THE  
DEPARTMENT OF CONSERVATION

## Section

- 110.5 Unlawful Activities
- 110.20 Alcoholic Beverages - Possession, Consumption, Influence
- 110.30 Animals - Pets, Dogs, Cats - Noisy, Vicious, Dangerous
- 110.40 Animals - Horses - Livestock - Animal Waste
- 110.45 Boats and Other Watercraft
- 110.45 Abandoned Watercraft
- 110.50 Capacity of Areas - Usage Limitation
- 110.60 Camping - Campfires
- 110.70 Destruction of Property - Flora - Fauna - Man-Made and Inanimate Natural Objects - Collection of Artifacts
- 110.90 Group Activity
- 110.100 Littering
- 110.110 Prohibited Fishing Areas - Cleaning of Fish
- 110.120 Restricted Areas - Metal Detection Devices
- 110.140 Soliciting/Advertising/Renting/Selling
- 110.150 Swimming/Wading/Dividing
- 110.160 Vehicles - Operation on Roadway - Speed - Parking - Weight Limit
- 110.170 Weapons and Firearms - Display and Use
- 110.175 Nudity Prohibited
- 110.180 Violation of Rule

AUTHORITY: Implementing and authorized by Section 8 of "AN ACT in relation to State forests, operation of forest tree nurseries, and providing penalties in connection therewith", (Ill. Rev. Stat. 1989, ch. 96 1/2, par. 5911); and by Sections 1, 4, and 6 and of "AN ACT in relation to the acquisition, control, maintenance, improvement and protection of State parks and nature preserves", approved June 26, 1925, as amended (Ill. Rev. Stat. 1989, ch. 105, pars. 465, 465a, 466, 468, 468b, and 468k); and by Sections 63a, 6311, 63a15, 63a18, and 63a28 of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, pars. 63a, 63a11, 63a15, 63a18, and 63a28).

SOURCE: Adopted at 4 Ill. Reg. 11, p. 59, effective March 4, 1980; emergency amendment at 5 Ill. Reg. 8933, effective August 25, 1981 for a maximum of 150 days; codified at 5 Ill. Reg. 10621, amended at 6 Ill. Reg. 7401, effective June 11, 1982; amended at 8 Ill. Reg. 9967, effective June 19, 1984; amended at 10 Ill. Reg. 9797,

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

effective May 21, 1986; amended at 10 Ill. Reg. 13256, effective July 25, 1986; amended at 13 Ill. Reg. 3785, effective March 13, 1989; amended at 15 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 110.5 Unlawful Activities

It shall be unlawful (Sections 110.10 through 110.175):

(Source: Amended at 15 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 110.175 Nudity Prohibited

For any person to sunbathe nude, or expose their genital area in a public place.

(Source: Added at 15 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENT

1) HEADING OF THE PART: White-Tailed Deer Hunting by Use of Bow and Arrow

2) CODE CITATION: 17 Ill. Adm. Code 670

3) SECTION NUMBERS: PROPOSED ACTION:

670.60 Amendment

4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5, and 3.36 of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, pars. 1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5, and 3.36).

5) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED:

This amendment changes the season dates for the archery deer hunt at Rock Cut State Park so that the season will start on a Monday and end on a Friday.

6) WILL THIS PROPOSED RULE REPLACE AN EMERGENCY RULE CURRENTLY IN EFFECT? No

7) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

8) DOES THIS PROPOSED AMENDMENT CONTAIN INCORPORATIONS BY REFERENCE? No

9) ARE THERE ANY OTHER PROPOSED AMENDMENTS PENDING ON THIS PART? No

10) STATEMENT OF STATEWIDE POLICY OBJECTIVES: This rule has no impact on local governments.

11) TIME, PLACE AND MANNER IN WHICH INTERESTED PERSONS MAY COMMENT ON THIS PROPOSED RULEMAKING: Comments on the proposed rule may be submitted in writing for a period of 30 days following publication of this notice to:

Jack Price  
Department of Conservation  
524 S. Second Street, Room 485  
Springfield, IL 62701-1787

12) INITIAL REGULATORY FLEXIBILITY ANALYSIS: This rule has no impact on small businesses or municipalities.

THE FULL TEXT OF THE PROPOSED AMENDMENT BEGINS ON THE NEXT PAGE:

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENT

TITLE 17: CONSERVATION  
CHAPTER I: DEPARTMENT OF CONSERVATION  
SUBCHAPTER b: FISH AND WILDLIFE

## PART 670

## WHITE-TAILED DEER HUNTING BY USE OF BOW AND ARROW

## Section

670.10 Statewide Open Seasons and Counties  
670.20 Statewide Deer Permit Requirements  
670.30 Statewide Legal Bow and Arrow  
670.40 Statewide Deer Hunting Rules  
670.50 Rejection of Application/Revocation of Permits  
670.55 Reporting Harvest  
670.60 Regulations at Various Department-Owned or -Managed Sites

**AUTHORITY:** Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5, and 3.36 of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, pars. 1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5, and 3.36).

**SOURCE:** Adopted at 5 Ill. Reg. 8888, effective August 25, 1981; codified at 5 Ill. Reg. 10641; emergency amendment at 5 Ill. Reg. 11402, effective October 14, 1981, for a maximum of 150 days; emergency expired March 13, 1982; amended at 6 Ill. Reg. 10721, effective August 20, 1982; emergency amendment at 6 Ill. Reg. 1581, effective December 14, 1982, for a maximum of 150 days; emergency expired May 13, 1983; amended at 7 Ill. Reg. 10790, effective August 24, 1983; amended at 8 Ill. Reg. 19004, effective September 26, 1984; amended at 9 Ill. Reg. 14317, effective September 9, 1985; amended at 10 Ill. Reg. 16658, effective September 22, 1986; amended at 11 Ill. Reg. 2275, effective January 20, 1987; amended at 12 Ill. Reg. 12042, effective July 11, 1988; amended at 13 Ill. Reg. 12839, effective July 21, 1989; amended at 14 Ill. Reg. 14787, effective September 4, 1990; amended at 14 Ill. Reg. 19859, effective December 3, 1990; amended at 15 Ill. Reg. 10021, effective June 24, 1991; amended at 15 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 670.60 Regulations at Various Department-Owned or -Managed Sites

a) All the regulations in 17 Ill. Adm. Code 510 (General Hunting and Trapping) apply in this Section, unless this Section is more restrictive.

b) The subsections listed below are referred to by number in subsections 670.60(c) through (l). Some of the sites

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENT

listed in subsections 670.60(c) through (1) have numbers in parentheses which explain the definitions in this Section which apply to that site.

- 1) Tree stands that are used for hunting deer must be legibly marked with the owner's name, address and telephone number when left unattended. These tree stands must comply with restrictions listed in Section 510.10(c)(3) and must be portable.
- 2) Only one tree stand is allowed per hunter.
- 3) Tree stands may be left unattended overnight only during the period from two weeks before through two weeks after the close of archery deer season.
- 4) Tree stands may be left unattended overnight only during the archery deer season.
- 5) Tree stands may be left unattended overnight only during the archery deer season. They may not be left overnight for more than four consecutive nights.
- 6) Tree stands may be left unattended overnight only on Saturday nights during archery deer season.

- c) Statewide regulations as provided for in this Section shall apply except as noted in parentheses for the following sites:

## AMAX Leased Lands

Cache River State Natural Area

Campbell Pond Wildlife Management Area

Carlyle Lake - Carlyle Lake Wildlife Management Area and Corps of Engineers managed lands (except Carlyle Lake Wildlife Management Area in the Subimpoundment Area, hunting closed three days prior to and during the regular waterfowl season).

Dog Island Wildlife Management Area

Kaskaskia River Fish and Wildlife Area (Doza Creek Waterfowl Management Area, a part of this site, closed to hunting three days prior to the regular

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENT

duck season).

- \* Eldon Hazlet State Park (North of Allen's Branch and West of Peppenhorst Branch only (1) (2) (5))

Horseshoe Lake Conservation Area, Alexander County, north of Route 3 only

Kidd Lake State Natural Area ((1) (2) (5))

Lake Shelbyville - Kaskaskia and West Okaw Fish and Wildlife Areas

Lake Kinkaid Fish & Wildlife Area

Mississippi River Pools 16, 17, 18, 21, 22, 24

Mississippi River Pools 25 and 26 ((1) (3))

Panther Creek Conservation Area ((1) (4))

Pike County Conservation Area (No hunting after November 30 in Area A)

Rend Lake Project Lands and Waters

Rockhouse Creek (Monroe County) ((1) (3))

Sangamon County Conservation Area

Sanganois Conservation Area ((1) (4))

Shawnee National Forest, LaRue Scatters

Shawnee National Forest, Oakwood Bottoms

Ten Mile Creek Fish and Wildlife Area (permit required; areas designated as Refuge are closed to all access during Canada Goose season only; windshield cards must be displayed on dashboard of vehicle; permits must be returned by February 15; (1) (3))

Union County Conservation Area - Firing Line Management Unit

Wildcat Hollow State Forest

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENT

## Witkowsky State Wildlife Area

- d) Statewide regulations as provided for in this Part shall apply except that all hunters must check in and check out and report deer harvested at the check station. Any other variations are given in parentheses for the following sites:

Argyle Lake State Park (season - October 15 - December 31)

Banner Marsh Fish and Wildlife Area (Season opens day after close of waterfowl season - December 31)

## Big Bend Conservation Area

## Big River State Forest

Castle Rock State Park (season - November 1 - December 31)

Clinton Lake (Inner Peninsula and Mascoutin Areas Only) (Hunters will apply to site for permit to hunt specific time period within statewide season; permits will be allocated by drawing held at site; procedures for application and drawing will be announced by news release; hunters must fill one site specific antlerless permit before being allowed to take an antlered deer)

Crawford County Conservation Area ((1) (3))

Fort de Chartres Historic Site ((1) (2) (5))

## Franklin Creek State Park

Green River State Wildlife Area (Lee County Conservation Area) (closed during permit pheasant season)

Hamilton County Conservation Area ((1) (3))

Johnson Sauk Trail State Park (October 1 - the day before the upland game season and on Mondays and Tuesdays during the upland game season)

Jubilee College State Park (closed the 1st weekend - Saturday and Sunday - of October)

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## Mackinaw River State Fish and Wildlife Area

Marseilles Fish and Wildlife Area (no hunting on Friday, Saturday, or Sunday in October; (1) (3))

## Marshall State Fish and Wildlife Area

\* Randolph County Conservation Area ((1) (2) (5))

\* Red Hills State Park ((1) (3))

Rice Lake (season - the day after the close of the duck season - December 31)

Saline County Conservation Area ((1) (3))

\* Sam Parr Fish and Wildlife Area ((1) (3))

Shabbona Lake State Park (Indian Road Wildlife Management Area)

Silver Springs State Park (daily quota posted at site; quota filled on first-come, first-serve basis)

## Tapley Woods State Natural Area

Turkey Bluffs Fish and Wildlife Area ((1) (2) (5))

Washington County Conservation Area (closed until 3 p.m. Wednesday - Sunday during pheasant, quail and rabbit season; (1) (2) (5))

Wayne Fitzgerald State Recreation Area (except closed Wednesday through Sunday during Controlled Pheasant hunting season, see 17 Ill. Adm. Code 530)

## Woodford County Conservation Area

- e) Statewide regulations as provided for in this Part shall apply for deer bow hunting except that hunters must check out and report their harvest; any reduced hunting season and/or daily hunting hours if required are given in parentheses for the following sites:

## Anderson Lake Conservation Area

Beaver Dam State Park (hunting in designated area;



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hunting dates October 29 - November 2 and November 5 - November 9; number of hunters limited to two during each 5-day period; public drawing held at site office)

Ferne Clyffe State Park

Ft. Massac State Park

Giant City State Park

Horseshoe Lake Public Hunting Area (opens with the close of the quota zone goose season through December 31)

## I-24 Wildlife Management Area

Iroquois County Conservation Area (closed Wednesday through Sunday of the permit pheasant season and during the non-permit pheasant season, except that hunting is permitted according to statewide regulations in the 80 acres north and east of Hooper Branch Nature Preserve; (1) (2) (4))

## Mermet Conservation Area

Mt. Vernon Game Farm (November 1 - December 31; only antlerless deer may be taken; hunters must sign in before hunting and sign out before leaving the site; (1) (3))

Pere Marquette State Park (except in designated areas where hunting dates are from October 30 through November 3 and from November 6 through November 10; number of hunters limited to 15 during each 5 day period; public drawing held at Region IV Office; (1) (3))

Pyramid State Park

Siloam Springs State Park

Trail of Tears State Forest

Union County Conservation Area Public Hunting Area (October 1-15)

Weinberg-King State Park

- f) Statewide regulations as provided for in this Part shall apply and in addition hunters must obtain site permits at the site office or through the mail prior to hunting and must report success immediately after taking deer with additional requirements given in parentheses at the following sites:

Des Plaines Conservation Area (closed during the site's pheasant hunting season, except open on Mondays and Tuesdays only)

Kankakee River State Park (Bow deer hunters hunting south of the Kankakee River are required to wear a cap and upper outer garment of solid and vivid blaze orange of at least 400 square inches between the hours of 9:00 a.m. to 3:00 p.m. on those days when pheasant, quail and rabbit hunting is allowed; the area north of the Kankakee River is closed to all hunting after November 30)

Mississippi Palisades State Park (season November 1 - December 31)

Moraine View State Park (closed Wednesday through Sunday during permit pheasant season; (1) (2) (4))

Pekin Lake State Fish and Wildlife Area (no hunting south of Big Lick Creek)

Rock Cut State Park (November 54 - December 1413, closed Thanksgiving Day; hours 1/2 hour before sunrise to 10:00 a.m.)

Sand Ridge State Forest ((1) (4))

Spring Lake Conservation Area

- g) Statewide regulations as provided for in this Part shall apply except that all hunters must check in and check out and report deer harvested at the check station. Any other variations are given in parentheses for the following site:

Sangchris Lake Fish and Wildlife Area (Hunting is prohibited within 200 yards of developed areas such as picnic and camping areas. The Peninsula and West Shoreline Areas will be open for hunting from

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October 1 until the opening day of duck season and from the close of duck season through December 31; closed also during the Youth Hunt. The North Mainland and East Mainland Areas will be open from October 1 through December 31; closed during the Youth Hunt. Areas open for hunting will include: Peninsula Area (DOC and Commonwealth Edison-owned portions of the middle and east peninsulas; West Shoreline Area, North Mainland Area and East Mainland Area)

- h) Statewide regulations as provided for in this Part shall apply except that hunting will be permitted on Saturdays and Sundays only as announced by the Department of Conservation at the following site. Hunter quotas will be announced by public news release. The check station will open at 5:00 a.m. and all hunters must check in and exchange their hunting license for a back patch which must be worn at all times while in the field. All hunters must check out immediately after hunting. Parking is permitted at designated parking areas only; ((1) (6)).

## Site "M" Cass County

- i) Statewide regulations as provided for in this Part shall apply, except bow hunting will be allowed only during the area legal waterfowl season. Hunting hours are from one half hour before sunrise to 12 noon, hunters must check out by 1 p.m. A drawing will be held at check station 90 minutes before sunrise; hunters must deposit their hunting license at check station before proceeding to the hunting area; hunters must wear DGC issued back patch while hunting. Individuals who have purchased a statewide archery permit are eligible to receive a daily site antlerless only permit, subject to drawing procedures. Hunting is closed on Mondays and Tuesdays.

## Heidecke State Fish and Wildlife Area

- j) Statewide regulations as provided for in this Part shall apply, except bow hunting will be allowed only on Mondays and Tuesdays, beginning on the Monday prior to the opening of permit pheasant hunting season and closing on the Tuesday following the close of the permit pheasant hunting season in designated areas only. Daily quota filled on first-come, first-serve basis. Hunting hours are from one-half hour before sunrise to 2:00 p.m. except

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on Christmas day when the area is closed to hunting. Hunters must check out by 3:00 p.m. Hunters must check in, check out, and report deer harvested at the main park entrance gatehouse.

## Chain O'Lakes State Park

- k) Hunters must obtain a free permit from the site office. The permit must be in possession while hunting; failure to report harvest by February 15 will result in loss of hunting privileges at the site for the following year.

Clinton Lake State Recreation Area (except Mascoutin Area and Inner Peninsula (1) (2) (4))

Eagle Creek State Park

Fox Ridge State Park ((1) (2) (4))

Hidden Springs State Forest ((1) (2) (4))

Lake Shelbyville Eagle Creek Wildlife Management Area

\* Ramsey Lake State Park

\* Sam Dale Lake Conservation Area

\* Stephen A. Forbes State Park

- l) Hunters must obtain free permit from site office; permit must be returned and harvest reported by February 15; failure to return permit will result in loss of hunting privileges the next season.

Kickapoo State Park ((1) (2) (4))

Middlefork Fish and Wildlife Area ((1) (2) (4))

(Source: Amended at 15 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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- 1) Heading of the Part: Alcohol and Drug Education Initiative
- 2) Code Citation: 23 Ill. Adm. Code 225
- 3) Section Numbers:

	<u>Proposed Action:</u>
225.10	New Section
225.20	New Section
225.30	New Section
225.40	New Section
225.50	New Section
225.60	New Section
- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 122, par. 2-3.93.
- 5) A Complete Description of the Subjects and Issues Involved:

These proposed rules set forth the procedures necessary in applying for grants under the Alcohol and Drug Education Initiative. They describe who is eligible to apply and how funds will be allocated, as well as enumerate the various terms and conditions of receiving a grant under the program. Additionally, the proposed rules specify the type of information applicants must give the State Board in response to its Request for Proposals; they indicate the types of programs that will receive funding priority, and evaluation, budget, and subcontracting information. The proposed rules also contain the criteria and point values used to review applications and make grant awards.

- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed rule contain incorporations by reference? The rules do not contain an incorporation by reference under Section 6.02(b) of the Illinois Administrative Procedure Act.
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: These rules will not create or enlarge a state mandate.

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- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this notice to:  
  
Jon X. Healy, Agency Rules Coordinator  
Illinois State Board of Education  
100 North First Street  
Springfield, Illinois 62777-0001  
(217) 782-4980
  - 12) Initial Regulatory Flexibility Analysis: These rules will not affect small businesses.
- The full text of the Proposed Rule(s) begins on the next page:



## STATE BOARD OF EDUCATION

## NOTICE OF PROPOSED RULES

## TITLE 23: EDUCATION AND CULTURAL RESOURCES

## SUBTITLE A: EDUCATION

## CHAPTER I: STATE BOARD OF EDUCATION

## SUBCHAPTER e: INSTRUCTION

## PART 225

## ALCOHOL AND DRUG EDUCATION INITIATIVE

## Section

225.10 Purpose

225.20 Eligible Applicants

225.30 Application Procedure and Content

225.40 Proposal Review and Approval Criteria

225.50 Allocation of Funds

225.60 Terms of Grant

**AUTHORITY:** Implementing and authorized by Section 2-3.93 of the School Code (Ill. Rev. Stat. 1989, ch. 122, par. 2-3.93).

**SOURCE:** Adopted at \_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_\_.

## Section 225.10 Purpose

These rules establish the procedure and criteria for approval of applications submitted to the State Board of Education by eligible applicants for grants to assist in establishing alcohol and drug education initiative projects designed to develop drug-free community planning and implementation strategies and staff development activities and to purchase software and curriculum materials as authorized in Section 2-3.93 of the School Code (Ill. Rev. Stat. 1989, ch. 122, par. 2-3.93).

## Section 225.20 Eligible Applicants

Proposals for grant awards under Section 2-3.93 of the School Code may be submitted by public school districts.

- a) If a joint application is submitted, then an administrative agent shall be designated, and the superintendent from each of the participating districts shall sign the application.
- b) Applicants who propose to use a subcontractor shall provide the information required by Section 225.30(c)(8).

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- b) Applicants who propose to use a subcontractor shall provide the information required by Section 225.30(c)(8).

## Section 225.30 Application Procedure and Content

It is the intention of the State Board of Education to provide discretionary grants to eligible applicants on a year-to-year basis. Funding for future projects, i.e., those projects funded after their initial grant year, shall be contingent upon availability of funds for the initiative. Consideration shall be given to all applicants pursuant to Section 225.40 regardless of previous participation in the drug and alcohol education initiative.

- a) The State Board of Education will issue a Request for Proposals (RFP) specifying the information which applicants must include in their proposals, and requiring that proposals be submitted to the State Board of Education no later than the date specified in the RFP. The RFP shall provide at least forty-five (45) calendar days in which to submit proposals. No Fax copies will be accepted.

- b) Priority for funding shall be given to projects which focus upon improvement of the curriculum, instructional programs, staff development or school policy development. Higher priority shall be given to project proposals that contain the following elements.

- 1) A drug abuse prevention instructional model with appropriate curriculum materials (e.g., sequential, age-appropriate instruction in development of self-esteem, communication, decision-making, resistance skills and other areas of critical thinking) as part of a comprehensive health education program in grades K through 12 that allows integration across grade levels and in other areas of learning (i.e., addresses the Illinois State Goals for Learning in Physical Development and Health and/or other fundamental learning areas as defined in Section 27-1 of the School Code).
- 2) An effective teacher training program that includes curriculum selection or development and strategies for working with community agencies.

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- 3) A school and community partnership to study and recommend drug use prevention policies for use by schools and communities.
- 4) Prevention strategies that focus on primary prevention (i.e., activities to educate students about drug use, promote self-esteem and strengthen resistance skills) and secondary prevention (i.e., strategies for identification and remediation of at-risk students).

## c) Each proposal shall provide the following information:

- 1) An abstract of the proposal (not more than 200 words).
- 2) Comprehensive Planning  
The applicant shall describe specific proposed efforts to use school, social service agency, business, and other regional and local community services to the extent their use is practicable. The applicant shall list all individuals involved in planning the proposed alcohol and drug education initiative, identify the organization, agency or group each represents, and describe the nature and extent of that individual's involvement.

## 3) Needs Assessment

The applicant shall describe the students' need for the proposed project and document that need with current statistical and/or descriptive information.

## 4) Objectives and Activities

A statement of the project's objectives and activities in relation to the needs identified in subsection (3) shall be stated in measurable terms. Applicants shall submit activity statements (program goals along with specific objectives and activities), which shall include:

- A) What will be done;
- B) When each activity will be implemented and completed;

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- C) Who will conduct each activity; and
- D) Who will be served by each activity.

## 5) Evaluation Design

## A) Formative Evaluation

The applicant shall describe the evaluation process for determining whether progress is being made toward achieving its project objectives.

## B) Summative Evaluation

The applicant shall describe the evaluation process for determining the success of the project. The evaluation shall be designed so that it will report the degree to which the project completed its proposed objectives; document the services provided; and include descriptive statistics, such as the number served and the resources used.

## 6) Budget/Fiscal Information

The budget summary and payment schedule must be completed on the form provided in the RFP. A budget breakdown, i.e., a detailed explanation of each line item of expenditure, also shall be provided.

## 7) Certification and Assurances

The applicant shall submit the certification and assurances form attesting to the following:

- A) The applicant has the necessary legal authority to apply for and to receive the proposed grant. The filing of the application has been authorized by the governing body of the applicant, and the applicant's representative has been duly authorized to file the application, and to otherwise act as the authorized representative of the applicant in connection with the application and any award in relation thereto.

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- B) The activities and services for which assistance is sought under the program will be administered by or under the supervision of the applicant in accordance with the laws and regulations applicable to the contract. No subcontractors will be used except as stated in the application.
- C) In planning the program proposed in the application, there has been, and in establishing and carrying out the program, there will be (to the extent applicable to the program) participation of persons broadly representative of the cultural and educational resources of the area to be served, including persons representative of the interests of potential beneficiaries.
- D) All funds provided shall be used for the purposes stated in the approved proposal.
- E) The applicant understands that payment for approved services and expenses will be made on a reimbursement-of-claims basis, and that payment will be made in accordance with the applicable statutes, regulations and standards after an application for payment is submitted to the State Board of Education.
- F) The applicant will maintain records on program and fiscal activities related to each award for a period of three (3) years for a state-funded program, and five (5) years for a federally funded program, following the end of each award period. Such records shall include a fiscal accounting for all monies in accordance with generally accepted governmental accounting principles. The State Board of Education shall have the right to inspect the applicant's records for auditing and monitoring purposes. If there are outstanding audit exceptions, then records will be retained on file until such exceptions are closed out to the satisfaction of the State Board of Education.
- G) All rights, including copyright, to data, information, and/or other materials developed

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- pursuant to an award are retained by the State Board of Education, unless otherwise agreed in writing by the State Board of Education. All such work products produced by the applicant through work pursuant to the award shall be made available to the State Board of Education upon request.
- H) The applicant will obey all laws, regulations, and executive orders prohibiting discrimination on the basis of race, color, national origin, sex, age, or handicap, and all other laws, regulations, and executive orders applicable to its activities, including but not limited to the School Code (Ill. Rev. Stat. 1989, ch. 122, par. 1-1 et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), the Illinois Human Rights Act (Ill. Rev. Stat. 1989, ch. 68, par. 1-101 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.), Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 2000e et seq.), the Public Works Employment Discrimination Act (Ill. Rev. Stat. 1989, ch. 29, par. 16.9 et seq.), and the Americans with Disabilities Act of 1990 (Public Law 101-336).
- I) The applicant is not barred from entering into a contract by Section 33E-3 or 33E-4 of the Criminal Code of 1961 (Ill. Rev. Stat. 1989, ch. 38, pars. 33E-3, 33E-4).
- J) The applicant is not barred from entering into a contract by Section 10.1 of the Illinois Purchasing Act (Ill. Rev. Stat. 1989, ch. 127, par. 132-10.1).
- K) The applicant is not barred from entering into a contract by Section 11.1 of the Illinois Purchasing Act (Ill. Rev. Stat. 1989, ch. 127, par. 132-11.1).
- L) If the applicant is an individual, then the applicant is not in default on an educational



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loan as provided in Ill. Rev. Stat. 1989, ch. 127, par. 3553.

## 8) Subcontracting

The applicant may subcontract to implement the program; however, all program responsibilities are to be retained by the applicant to ensure compliance with the terms and conditions of the grant. All subcontracting shall be documented and have the prior approval of the State Superintendent of Education. Approval of subcontracts shall be subject to the same criteria as are applied to the original project application. The following information is required if any subcontracting is used:

- A) Name and address of subcontractor(s).
- B) Need/purpose for subcontracting.
- C) Measurable and time-specific services to be provided.
- D) Associated costs, i.e., amounts, including the total, to be paid for services specified in the subcontract.

- d) Such subcontracts shall contain specific provisions limiting the delivery of goods and services under them to those authorized under the terms of the grant award issued by the State Board of Education to the eligible applicant.

## Section 225.40 Proposal Review and Approval Criteria

Proposals submitted in response to the Request for Proposals shall be evaluated in the following manner and in accordance with the criteria set forth in subsection (c).

- a) Information contained in proposals submitted in accordance with Section 225.30(c) shall be reviewed by State Board of Education staff to determine that the information demonstrates compliance with Section 2-3.93 of the School Code and this Part.
- b) If the proposal is incomplete, then State Board staff shall send a written notice to applicants requesting that they supply the needed information. Such

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applicants shall supply the requested information within thirty (30) calendar days of said notice.

- c) Complete alcohol and drug education initiative project applications shall be reviewed and rank ordered by State Board staff and selected professionals from the drug use prevention and education fields in Illinois on the basis of the following criteria and points:

- 1) The extent to which the proposal contains specific objectives, corresponding activities, and an evaluation design which meet requirements specified in the Request for Proposals (60 points).
- 2) The extent to which the proposal demonstrates collaborative planning as evidenced by the inclusion of a variety of school staff members, parents, business and industry leaders, and community representatives to develop a school and community drug-free plan and assist in the implementation of that plan (15 points).
- 3) The proposal contains a statement of need for the project based upon analysis of relevant data concerning the persons/communities to be served (15 points).
- 4) The proposed budget is cost-effective in relation to the proposed activities and objectives (10 points).
- d) The State Superintendent of Education will make final determinations in accordance with the criteria stated in subsection (c).

## Section 225.50 Allocation of Funds

The State Superintendent of Education shall determine the amount of individual grant awards on the basis of the following criteria. The final award amounts will be based on these criteria following negotiations with the grant recipient:

- a) the total funds appropriated for alcohol and drug education initiative projects;
- b) the program needs, resources, and amounts requested in the top-ranked proposals determined pursuant to Section 225.40; and

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- c) the need to assure delivery of alcohol and drug education and prevention programs on a statewide basis and in a manner that will have the greatest impact in preventing alcohol and drug use.

## Section 225.60. Terms of the Grant

- a) All grants issued under this Part shall be governed by the Illinois Grant Funds Recovery Act (Ill. Rev. Stat. 1989, ch. 127, par. 2301 et seq.).

- b) The time period of the grant shall run from September 1 of the calendar year or from a date to be negotiated through August 31 of the following calendar year.

- c) Successful applicants shall submit a final report specifying:

- 1) the extent to which project objectives have been accomplished;
- 2) prevention services provided;
- 3) resources utilized; and
- 4) any similar program-related information that the State Superintendent of Education may request upon 30 days' written notice.

- d) A negotiated and finalized proposal returned to the applicant, with an authorized signature affixed to the cover page, will constitute an approved agreement with the State Board of Education. This notification will be made not later than forty-five (45) calendar days after the amount of the negotiated budget for the applicant's project is determined.

- e) Recipients of grant awards shall maintain records on program and fiscal activities for a period of three years following the end of the grant period; however, if there are outstanding audit exceptions, then records shall be retained until such exceptions are closed out to the satisfaction of the State Board of Education. Such records include fiscal accounting for all monies in accordance with 23 Ill. Adm. Code 110 (Program Accounting Manual) and the final report specified in subsection (c). An audit report which includes a certified opinion and statement of receipts and

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disbursements compared to the approved budget shall be submitted to the State Board no later than forty-five (45) days after the end of the contract period.

- f)

No funds received under the grant shall be used to supplant funds normally budgeted for services of the same type.

- g)

Payments from the State Board of Education to grantees shall be made according to a negotiated payment schedule. Initial payment shall not exceed 50 percent of the project budget. Amounts projected for each month are expected to be a reflection of need for that month and not simply the total budget divided by the number of months in the project. Following negotiations, contract budgets may be amended by completing an amendment to the budget summary and payment schedule form and attaching supplementary documentation showing variances and justifications. A budget amendment is necessary whenever an approved individual line item changes by more than \$500 or 10 percent (whichever is larger) from the approved budget. Changes will be approved if the proposed distribution of resources or activities would have been approvable within the original application.

- 1) Heading of the Part: Certification
- 2) Code Citation: 23 Ill. Adm. Code 25
- 3) Section Numbers:  
25.315 New Section
- 4) Statutory Authority: Ill. Rev. Stat. 1990 Supp., ch. 122, par. 21-7.1.
- 5) A Complete Description of the Subjects and Issues Involved:  
This set of amendments consists of a new Section 25.315, which sets forth the requirements for continuing professional education imposed by P.A. 86-1045 as a condition for renewal of the administrative certificate. Fulfillment of the requirements by affected administrators will be tracked by means of plans to be submitted to the State Superintendent by all districts and cooperatives employing such individuals (see subsections (b), (c), and (d)). Subsection (e) provides for notification procedures in cases where affected administrators have not participated in approved professional education activities as required; subsection (f) indicates how an individual may remedy deficiencies in this regard so that the certificate can be renewed at the appropriate time.
- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference?  
The rules do not contain an incorporation by reference under Section 6.02(b) of the Illinois Administrative Procedure Act.
- 9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives:

These amendments implement P.A. 86-1045 by putting in place a system for designating approved professional education activities and monitoring participation in them.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this notice to:

Jon X. Healy  
Agency Rules Coordinator  
Illinois State Board of Education  
100 North First Street  
Springfield, Illinois 62777  
(217) 782-4980

- 12) Initial Regulatory Flexibility Analysis: These rules will not affect small businesses.

The full text of the Proposed Rule(s) begins on the next page:



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## TITLE 23: EDUCATION AND CULTURAL RESOURCES

## SUBTITLE A: EDUCATION

## CHAPTER I: STATE BOARD OF EDUCATION

## SUBCHAPTER b: PERSONNEL

## PART 25

## CERTIFICATION

## SUBPART A: DEFINITIONS

Section  
25.10

Definition of Terms Used in This Part

## SUBPART B: CERTIFICATES

Section

25.20 State Elementary School Certificate  
 25.30 State High School Certificate  
 25.40 State Special Certificate  
 25.43 Standards for Certification of Special Education Teachers  
 25.45 Standards for the Standard Special Certificate--Speech and Language Impaired  
 25.50 General Certificate  
 25.60 State Special Certificate, Grades 11-12, For Teaching Elective Subjects  
 25.70 State Provisional Vocational Certificate  
 25.80 Early Childhood Certificates  
 25.90 Transitional Bilingual Certificate and Examination  
 25.95 Majors, Minors, and Separate Fields for the Illinois High School Certificate  
 25.99 Endorsing Teaching Certificates

## SUBPART C: APPROVING THE TEACHER EDUCATION PROGRAMS OF THE TEACHER EDUCATION INSTITUTIONS OF THE STATE OF ILLINOIS

Section

25.110 System of Approval: Levels of Approval  
 25.120 Standards and Criteria for Institutional Recognition and Program Approval  
 25.130 Procedures for Initial Recognition as a Teacher Education Institution  
 25.140 Procedures for Approval of New or Modified Teacher Education Programs and Consortia  
 25.150 The Periodic Review Process

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## SUBPART D: SCHOOL SERVICE PERSONNEL

Section

25.210 Requirements for the Certification of School Social Workers  
 25.220 Requirements for the Certification of Guidance Personnel  
 25.230 Requirements for the Certification of School Psychologists  
 25.240 Standard for School Nurse Endorsement

## SUBPART E: REQUIREMENTS FOR THE CERTIFICATION OF ADMINISTRATIVE AND SUPERVISORY POSITIONS

Section

25.310 Definitions (Repealed)  
 25.311 Administrative Certificate  
 25.315 Renewal of Administrative Certificate  
 25.320 Application for Approval of Program (Repealed)  
 25.322 General Supervisory Endorsement  
 25.330 Standards and Guide for Approved Programs (Repealed)  
 25.333 General Administrative Endorsement  
 25.344 Chief School Business Official Endorsement  
 25.355 Superintendent.

## SUBPART F: GENERAL PROVISIONS

Section

25.405 Military Service  
 25.410 Revoked Certificates  
 25.415 Credit in Junior College  
 25.420 Psychology Accepted as Professional Education  
 25.425 Individuals Prepared in Out-of-State Institutions  
 25.427 Three-Year Limitation  
 25.430 Institutional Approval  
 25.435 School Service Personnel Certificate--Waiver of Evaluations  
 25.440 Master of Arts NCATE  
 25.445 College Credit for High School Mathematics and Language Courses  
 25.450 Lapsed Certificates  
 25.455 Substitute Certificates  
 25.460 Provisional Special and Provisional High School Certificates  
 25.465 Credit  
 25.470 Meaning of Experience on Administrative Certificates  
 25.475 Certificates and Permits No Longer Issued  
 25.480 Credit for Certification Purposes  
 25.485 Provisional Recognition of Institutions

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25.490 Rules for Certification of Persons Who Have Been  
Convicted of a Crime  
25.493 Part-Time Teaching Interns  
25.495 Approval of Out-of-State Institutions and Programs  
25.497 Supervisory Endorsements

SUBPART G: THE UTILIZATION OF TEACHER AIDES AND  
OTHER NONCERTIFIED PERSONNEL

Section  
25.510 Teacher Aides  
25.520 Other Noncertificated Personnel  
25.530 Specialized Instruction by Noncertificated Personnel  
25.540 Approved Teacher Aide Programs

## SUBPART H: CLINICAL EXPERIENCES

Section  
25.610 Definitions  
25.620 Student Teaching  
25.630 Pay for Student Teaching

## SUBPART I: ILLINOIS CERTIFICATION TESTING SYSTEM

Section  
25.705 Purpose - Severability  
25.710 Definitions  
25.715 Test Validation  
25.717 Test Equivalence  
25.720 Applicability of Testing Requirement  
25.725 Applicability of Scores  
25.730 Registration  
25.732 Late Registration  
25.735 Frequency and Location of Examination  
25.740 Accommodation of Persons with Special Needs  
25.745 Special Test Dates  
25.750 Conditions of Testing  
25.755 Voiding of Scores  
25.760 Passing Score  
25.765 Individual Test Score Reports  
25.770 Rescoring  
25.775 Institution Test Score Reports  
25.780 Fees

25. Appendix A Statistical Test Equating - Certification Testing  
System

AUTHORITY: Implementing Article 21 and Section 14C-8 and  
authorized by Section 2-3.6 of the School Code (Ill. Rev. Stat.

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1989 and 1990 Supp., ch. 122, pars. 21-1 et seq., 14C-8, and 2-3.6).

SOURCE: Rules and Regulations to Govern the Certification of Teachers adopted September 15, 1977; amended at 4 Ill. Reg. 28, p. 336, effective July 16, 1982; amended at 7 Ill. Reg. 5429, effective April 11, 1983; codified at 8 Ill. Reg. 1441; amended at 9 Ill. Reg. 1046, effective January 16, 1985; amended at 10 Ill. Reg. 12578, effective July 8, 1986; amended at 10 Ill. Reg. 15044, effective August 28, 1986; amended at 11 Ill. Reg. 3709, effective July 15, 1987; amended at 12 Ill. Reg. 16022, effective February 1, 1988; amended at 12 Ill. Reg. 16022, effective September 23, 1988; amended at 14 Ill. Reg. 1243, effective January 8, 1990; amended at 14 Ill. Reg. 17936, effective October 18, 1990; amended at \_\_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_.

NOTE: Capitalization denotes statutory language.

SUBPART E: REQUIREMENTS FOR THE CERTIFICATION OF ADMINISTRATIVE  
AND SUPERVISORY POSITIONS

## Section 25.315 Renewal of Administrative Certificate

- a) The requirements set forth in this Section apply to renewal of administrative certificates in accordance with Section 21-7.1 of the School Code (Ill. Rev. Stat. 1990 Supp., ch. 122, par. 21-7.1).
- b) Submission of Plans for the Continuing Professional Education of Administrators
  - 1) Each school district, and each cooperative program operated between or among school districts or by Regional Superintendents of Schools (pursuant to Section(s) 3-15.14, 10-22.31, and/or 10-22.31a of the School Code), which employs persons in positions requiring an administrative certificate, shall submit to the State Board of Education a plan for the continuing professional education of the administrators employed therein (a "plan"). In the case of cooperative programs, the plan shall be submitted by the administrative agent of the cooperative entity.
  - 2) Each Regional Superintendent of Schools may submit to the State Board of Education a Plan for the Regional Superintendent and any Assistant Regional Superintendent(s) in the region.

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- 3) All Plans shall be submitted to the State Board of Education no later than December 1, 1991.
- 4) Whenever any substantive change is to be made to a Plan which has been approved by the State Superintendent of Education, the revised Plan shall be submitted to the Board for review and approval.

## c) Content of Plans

- 1) Each Plan shall include a description of how the affected administrators were involved in its development.
- 2) Each Plan shall contain a description of the affected administrators' goals and objectives related to their continuing professional development. These goals and objectives shall include, but need not be limited to:
  - A) IMPROVING ADMINISTRATORS' KNOWLEDGE OF INSTRUCTIONAL PRACTICES AND ADMINISTRATIVE PROCEDURES;
  - B) MAINTAINING THE BASIC LEVEL OF COMPETENCE REQUIRED FOR INITIAL CERTIFICATION; AND
  - C) IMPROVING SKILLS AND KNOWLEDGE REGARDING THE IMPROVEMENT OF TEACHING PERFORMANCE IN CLINICAL SETTINGS AND ASSESSMENT OF LEVELS OF STUDENT PERFORMANCE.

- 3) Each Plan shall contain a description of professional education activities, which shall be approved by the school district or cooperative, for addressing the goals and objectives set forth. These approved activities may be applicable to individuals or may be extended to groups of administrators and may include:

- A) Attendance at Illinois Administrators' Academy seminars;
- B) Attendance at college/university courses and seminars;
- C) Participation in state and national conferences of professional organizations;

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- D) Reading of literature assigned or designated by the district or cooperative;
  - E) Conducting research;
  - F) Viewing and/or listening to media materials assigned or designated by the district or cooperative;
  - G) Working with consultants on projects sponsored by the district or cooperative; and
  - H) Developing, revising, and updating educational programs related to new professional duties and responsibilities.
- 4) Each Plan submitted by a school district shall be approved by the local school board. Each Plan submitted by a cooperative shall be approved by its governing board or board of control. Each Plan submitted by a Regional Superintendent shall be signed by such Regional Superintendent.
  - 5) Each Plan shall provide for annual participation by each affected administrator in at least one approved activity which contributes to continuing professional education as outlined in subsection (3), and for at least biennial attendance in a program developed by the Illinois Administrators' Academy.

- 6) Each Plan shall require that documentation of each administrator's annual participation in approved activities be placed in his or her personnel file and that he or she be provided with a copy of such documentation.

## d) Review and Approval of Plans

- 1) The State Superintendent of Education shall review all Plans submitted pursuant to subsection (b) and shall approve each Plan which conforms to the requirements set forth in subsection (c).
- 2) The State Superintendent of Education shall reject each Plan which does not conform to the requirements set forth in subsection (c). Upon rejection of its Plan, the school district or



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cooperative shall revise the Plan to provide for compliance with this Section and shall submit such revised Plan to the State Superintendent within 45 days of receipt of the notice of rejection.

## e) Notification Procedures

- 1) Each school district or cooperative shall notify each affected administrator employed by such entity of the requirements for continuing professional education at the beginning of each school year. Such notification shall include reference to the fact that renewal of the administrative certificate is conditioned on satisfaction of these requirements.
- 2) Each school district or cooperative shall submit to the State Superintendent of Education by June 30 of each year a statement of assurance that each affected administrator has participated in the activities set forth in the approved Plan for the entity or, should this not be the case, shall identify those administrators who have not done so.
- 3) The State Superintendent of Education shall identify to each Regional Superintendent of Schools those affected administrators in the respective Educational Service Region who have not participated as required.
- 4) The State Superintendent of Education shall notify each individual certificate holder who has not participated in the required professional education activity that he or she is deficient in meeting the requirements for the next renewal of his or her administrative certificate and of the procedures to follow in removing such deficiency in accordance with subsection (f).
- 5) Each Regional Superintendent of Schools shall register the administrative certificates of those administrators in the Region who have not participated in an approved Plan as required, and shall note the deficiencies, which must be removed by June 30 of the next calendar year in order for the holder to be eligible for renewal. However, no certificate may be renewed if the requirements of this Section have not been met.

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## f) Removal of Deficiencies

- 1) Work done to remove deficiencies for one particular year shall not be used to satisfy requirements for any other year.
- 2) Individuals may remove deficiencies only by:
  - A) earning 3 semester hours of credit from a recognized institution of higher learning in courses related to the certificate holder's contractual administrative duties; or
  - B) satisfactorily completing an Administrators' Academy training session.
- 3) An individual who has removed a deficiency shall present evidence thereof to the school district or cooperative. Such evidence shall consist of either an official university transcript indicating that three semester hours of credit have been earned or a certificate of participation in an Administrators' Academy training session.
- 4) On June 30 of each year, each school district or cooperative shall notify the State Superintendent of Education of all administrators who have removed deficiencies during that year and of those who have not done so. The State Superintendent shall notify those administrators who failed to remove deficiencies and their respective Regional Superintendents that their certificates may not be renewed.
- 5) Any administrative decision regarding non-renewal of an individual's administrative certificate may be appealed in accordance with the provisions of 23 Ill. Adm. Code 480 (Hearings Before the State Teacher Certification Board).
- g) Other Administrative Certificate Holders
  - 1) Persons who hold administrative certificates but are not employed in positions requiring such certification shall be required to comply with the requirements of Section 21-7.1 of the School Code starting with the first year in which they accept such employment.

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- 2) Administrative certificates of such persons, if registered annually with a Regional Superintendent of Schools, shall continue to be valid for future employment in positions requiring the administrative certificate.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_\_)

## ILLINOIS REGISTER

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- 1) Heading of the Part: Scientific Literacy

- 2) Code Citation: 23 Ill. Adm. Code 220

- 3) Section Numbers: Proposed Action:

220.10	New Section
220.20	New Section
220.30	New Section
220.40	New Section
220.50	New Section
220.60	New Section
220.70	New Section

- 4) Statutory Authority: Ill. Rev. Stat. 1990 Supp., ch. 122, par. 2-3.94

- 5) A Complete Description of the Subjects and Issues Involved:

These proposed rules describe the application procedure and approval criteria for two types of grant proposals under the Scientific Literacy program. The rules define scientific literacy; identify eligible applicants for staff development programs and pilot programs, respectively; describe the application procedure and required proposal content; and set forth the criteria by which grant proposals will be evaluated. The rules provide for both initial and renewal applications and contain additional information pertaining to the terms under which Scientific Literacy programs will be funded.

- 6) Will this proposed rule replace an emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this proposed rule contain incorporations by reference?

The rules do not contain an incorporation by reference under Section 6.02(b) of the Illinois Administrative Procedure Act.

- 9) Are there any other proposed amendments pending on this part? No

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## TITLE 23: EDUCATION AND CULTURAL RESOURCES

## SUBTITLE A: EDUCATION

## CHAPTER I: STATE BOARD OF EDUCATION

## SUBCHAPTER e: INSTRUCTION

## PART 220

## SCIENTIFIC LITERACY

- 10) Statement of statewide Policy Objectives: These rules will not create or expand a state mandate.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this notice to:

Jon X. Healy  
Agency Rules Coordinator  
Illinois State Board of Education  
100 North First Street  
Springfield, Illinois 62777  
(217) 782-4980

- 12) Initial Regulatory Flexibility Analysis: These rules will not affect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

Section	Purpose
220.10	Eligible Applicants
220.20	Application Procedure and Content
220.30	Proposal Review Criteria - Initial Applications
220.40	Proposal Review Criteria - Renewal Applications
220.50	Approval of Proposals
220.60	Terms of the Grant
220.70	

**AUTHORITY:** Implementing and authorized by Section 2-3.94 of the School Code (Ill. Rev. Stat. 1990 Supp., ch. 122, par. 2-3.94).

**SOURCE:** Adopted at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_\_.

## Section 220.10 Purpose

These rules establish the procedure and criteria for approval of applications submitted by eligible applicants to the State Board of Education for grants to assist in establishing scientific literacy programs as authorized in Section 2-3.94 of the School Code (Ill. Rev. Stat. 1990 Supp., ch. 122, par. 2-3.94). "Scientific Literacy" shall be understood to include:

- The capacity to formulate questions; to seek, comprehend and use available information; and to gather and interpret data and draw logical inferences in relation to an area of investigation.
- The ability to comprehend and communicate the language, concepts, theories and practices of science, mathematics and technology in ways that promote mutual understanding, cooperative problem-solving, and shared vision.
- The awareness that science, mathematics, and technology are ongoing processes and growing disciplines, constantly evolving and being refined through inquiry and open-ended investigation.



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- d) The awareness that science, mathematics, and technology are interdependent; that the tools and methods of each are interrelated and mutually supportive.
- e) The understanding that science, mathematics, and technology have strengths and limitations, in both theory and application, particularly as they relate to societal and ethical issues.

## Section 220.20 Eligible Applicants

- a) Proposals for staff development grants under Section 2-3.94 of the School Code may be submitted only by Illinois educational service centers, Illinois colleges and universities, the Illinois Mathematics and Science Academy, and not-for-profit organizations devoted to scientific literacy.
- b) Proposals for pilot program grants under Section 2-3.94 of the School Code may be submitted only by Illinois school districts and not-for-profit organizations devoted to scientific literacy.
- c) Any combination of eligible entities may submit a joint proposal. A single entity must be designated as the administrative agent, and the chief executive officer of each participating entity must sign the proposal.

## Section 220.30 Application Procedure and Content

- a) The State Board of Education will issue a Request for Proposals (RFP) specifying the information which must be included and requiring that proposals be submitted to the State Board of Education no later than the date specified in the RFP, which shall provide at least forty-five (45) calendar days in which to submit proposals. The State Superintendent of Education will approve one-year projects, as well as multi-year projects which meet the criteria established for continuation. Funding for subsequent years will be contingent on the level of funding appropriated for the program and on the grantee's progress toward meeting its objectives (see Section 220.50).

- b) Each initial proposal for a staff development project must provide the following:

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- 1) A completed form "Scientific Literacy Proposal Title Page" and an abstract of the proposal (not more than 250 words).
- 2) A program narrative (not to exceed 20 pages) which contains all of the following:
  - A) A description of the needs to be addressed by the program and how they were identified.
  - B) A description of the training plan, including objectives and activities that address the identified needs, the population to be served, timelines, and personnel responsible for completing the activities. Joint applications must identify the responsibilities of each participating entity.
  - i) Training activities shall be provided to staff of public elementary and secondary schools and, to the extent that space is available, to other elementary and secondary teachers.
  - ii) Proposals may include stipends, payment of substitutes, and travel reimbursement for public school personnel.
  - iii) Nonpublic school personnel may not receive monetary reimbursement, equipment, or services delivered on the premises of nonpublic schools.
- C) Evidence from current literature that the proposed strategy has merit for addressing the needs.
- D) A description of how the program will incorporate the elements of scientific literacy as set forth in the Request for Proposals.
- E) A description of how the program will help teachers address the State Goals for Learning in science and/or mathematics.
- F) A description of an evaluation component capable of identifying:

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- i) changes in teachers' knowledge of science and/or mathematics, or teachers' ability to teach science and/or mathematics effectively;
- ii) changes in participating school districts, including attitudinal changes in teachers and administrators, attributable to the program; and
- iii) parental and community change attributable to the program.

G) Answers to the following questions, clearly numbered to correspond to the questions:

- i) How will the program provide teachers with manageable methods to fully implement new knowledge and skills in their classrooms?
- ii) How will program services be coordinated with those of the regional educational service center?
- iii) How will scientific literacy funds be coordinated with other funding for science and mathematics?
- iv) How will media be used to publicize the program to the educational community and the public at large?

c) Each initial proposal for a pilot program must provide the following:

- 1) A completed form "Scientific Literacy Proposal Title Page" and an abstract of the proposal (not more than 250 words).
- 2) A program narrative (not to exceed 20 pages) which contains all of the following:
  - A) A description of the needs to be addressed by the program and how they were identified.
  - B) A description of the predicted benefit of the program to participating students from one or

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more school districts and their teachers. All pilot programs must include direct student participation.

C) A comprehensive description of the program's content, including objectives and activities that address the identified needs, the population to be served, timelines, and personnel responsible for completing the activities. Joint applications must identify the responsibilities of each participating entity.

D) Evidence from current literature that the program has merit in addressing the identified needs.

E) A description of how the program will incorporate the elements of scientific literacy listed in the Request for Proposals.

F) A description of how the program will address the State Goals for Learning in science and/or mathematics.

G) A description of data to be collected and analyzed to evaluate program effectiveness. Evaluation components must be capable of identifying:

- i) change in student achievement and attitude attributable to the program; and
  - ii) school, parental and/or community change attributable to the program.
- H) Answers to the following questions, clearly numbered to correspond to the questions:
- i) How can the program be replicated in other areas of the state?
  - ii) What is unique or innovative about the program?
  - iii) What elements of the program can be incorporated into ongoing, locally supported scientific literacy efforts?

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iv) How will scientific literacy funds be coordinated with other funding for science and mathematics?

v) How will media be used to publicize the program to the educational community and the public at large?

d) All initial proposals must also include the following:

1) Budget and Fiscal Information

The budget summary and payment schedule must be completed on the form provided. A narrative budget breakdown, i.e., a detailed explanation of each line item of expenditure, must also be provided.

2) Certification and Assurances

The applicant shall submit the certification and assurances form attesting to the following:

A) The applicant has the necessary legal authority to apply for and to receive the proposed grant. The filing of the application has been authorized by the governing body of the applicant, and the applicant's representative has been duly authorized to file the application, and to otherwise act as the authorized representative of the applicant in connection with the application and any award in relation thereto.

B) The activities and services for which assistance is sought under the program will be administered by or under the supervision of the applicant in accordance with the laws and regulations applicable to the contract. No subcontractors will be used except as stated in the application.

C) In planning the program proposed in the application, there has been, and in establishing and carrying out the program, there will be (to the extent applicable to the program) participation of persons broadly

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representative of the cultural and educational resources of the area to be served, including persons representative of the interests of potential beneficiaries.

D) All funds provided shall be used for the purposes stated in the approved proposal.

E) The applicant understands that payment for approved services and expenses will be made on a reimbursement-of-claims basis, and that payment will be made in accordance with the applicable statutes, regulations and standards after an application for payment is submitted to the State Board of Education.

F) The applicant will maintain records on program and fiscal activities related to each award for a period of three (3) years for a state-funded program, and five (5) years for a federally funded program, following the end of each award period. Such records shall include a fiscal accounting for all monies in accordance with generally accepted governmental accounting principles. The State Board of Education shall have the right to inspect the applicant's records for auditing and monitoring purposes. If there are outstanding audit exceptions, records will be retained on file until such exceptions are closed out to the satisfaction of the State Board of Education.

G) All rights, including copyright, to data, information, and/or other materials developed pursuant to an award are retained by the State Board of Education, unless otherwise agreed in writing by the State Board of Education. All such work products produced by the applicant through work pursuant to the award shall be made available to the State Board of Education upon request.

H) The applicant will obey all laws, regulations, and executive orders prohibiting discrimination on the basis of race, color, national origin, sex, age, or handicap, and all other laws, regulations, and executive orders applicable to its activities,



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including but not limited to the School Code (Ill. Rev. Stat. 1989, ch. 122, par. 1-1 et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), the Illinois Human Rights Act (Ill. Rev. Stat. 1989, ch. 68, par. 1-101 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.), Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 2000e et seq.), the Public Works Employment Discrimination Act (Ill. Rev. Stat. 1989, ch. 29, par. 16.9 et seq.), and the Americans with Disabilities Act of 1990 (Public Law 101-336).

- I) The applicant is not barred from entering into a contract by Section 33E-3 or 33E-4 of the Criminal Code of 1961 (Ill. Rev. Stat. 1989, ch. 38, pars. 33E-3, 33E-4).
- J) The applicant is not barred from entering into a contract by Section 10.1 of the Illinois Purchasing Act (Ill. Rev. Stat. 1989, ch. 127, par. 132-10.1).
- K) The applicant is not barred from entering into a contract by Section 11.1 of the Illinois Purchasing Act (Ill. Rev. Stat. 1989, ch. 127, par. 132-11.1).
- L) If the applicant is an individual, the applicant is not in default on an educational loan as provided in Ill. Rev. Stat. 1989, ch. 127, par. 3553.
- e) Each not-for-profit applicant must also:
  - 1) submit either an Internal Revenue Service statement of its 501(c)(3) status, a copy of its certificate of incorporation as a not-for-profit corporation, or evidence of its acceptance as a not-for-profit organization by the U.S. Postal Service; and
  - 2) attach a description of past involvement and present qualifications for providing educational

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opportunities in scientific literacy for teachers and/or students.

- f) Each renewal application must provide the following:
  - 1) a summative evaluation of the preceding year's program, documenting the services provided and describing the degree to which the grantee achieved its stated objectives;
  - 2) an updated narrative description of activities, timelines, evaluation procedures and the personnel to be responsible for them in the renewal year, relating the activities and objectives proposed to the evaluation results provided pursuant to subsection (1);
  - 3) an updated Budget Summary and Payment Schedule, with a budget narrative for the renewal year; and
  - 4) the assurances and certification form referred to in subsection (d)(2), bearing a current signature and applicable to the renewal period.
- g) Incomplete proposals will not be considered for funding.

## Section 220.40 Proposal Review Criteria - Initial Applications

- a) It is the intent of the State Board of Education, subject to the quality of proposals received and the level of funding appropriated, to provide funds statewide.
- b) Proposals submitted in response to the Request for Proposals shall be evaluated in accordance with the following criteria:
  - 1) The objectives and activities meet the program specifications contained in the Request for Proposals and support its goals (40 points);
  - 2) The proposal incorporates appropriate elements designated in the Request for Proposals as receiving high-priority consideration (25 points);
  - 3) The evaluation design will provide information that can be used to improve the project and to judge its success (15 points);

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- 4) The proposal provides sufficient documentation to support the effectiveness of the proposed program in increasing scientific literacy (10 points); and
- 5) The proposed budget is cost-effective and is consistent with the scope of the objectives and activities (10 points).
- c) The State Superintendent of Education will make final determinations in accordance with the criteria set forth above.

## Section 220.50 Proposal Review Criteria - Renewal Applications

Renewal applications shall be evaluated in accordance with the following criteria:

- a) The evaluation of the previous year's project indicates that its stated objectives have been met and that the project has been conducted in conformance with the application approved by the State Superintendent of Education; or
- b) In instances where certain of a project's objectives have not been met, the grantee has described the relative status of each such objective, the reason(s) for incomplete achievement, and either:
  - 1) the steps to be taken to ensure that the objective will be met during the renewal period, if the objective remains a valid part of the proposal for renewal; or
  - 2) if the grantee has determined that the objective should be deleted from its plan or altered in light of the previous year's experience, the grantee has provided its rationale for such deletion or change and has described how the program's goals for the renewal period will be met in light of the change.

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## Section 220.60 Approval of Proposals

- a) The State Superintendent of Education shall determine the amount of individual grant awards on the basis of:

- 1) recommendations based on the criteria set forth in Sections 220.40 and 220.50;
  - 2) the total amount of funds appropriated for scientific literacy development grants; and
  - 3) the approvable amounts requested in the top-ranked proposals identified pursuant to Sections 220.40 and 220.50.
- b) Notification of grant awards for approved proposals will be made not later than forty-five (45) calendar days after the amount of the appropriation for this program is determined.

## Section 220.70 Terms of the Grant

A negotiated and finalized proposal returned to the applicant, with an authorized signature affixed to the cover page, will constitute an approved grant agreement with the State Board of Education which is subject to the following terms:

- a) Recipients of grant awards shall maintain records on program and fiscal activities for a period of three years following the end of the grant period; however, if there are outstanding audit exceptions, records shall be retained until such exceptions are closed out. For public school districts and Educational Service Centers, such records include fiscal accounting for all monies in accordance with 23 Ill. Adm. Code 110 (Program Accounting Manual). For other recipients, records must be maintained in accordance with generally accepted governmental accounting principles.
- b) Orders for payment will be submitted to the Office of the Comptroller by the State Board of Education according to a negotiated payment schedule. The initial payment may not exceed 50% of the project budget, and amounts requested for subsequent months shall reflect actual need. Following negotiations, contract budgets may be amended by completing an amendment to the budget summary and payment schedule form and attaching supplementary documentation showing variances and justifications. A budget amendment is

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necessary whenever an individual line item is changed by more than \$500 or 10%, whichever is larger, from the approved budget. Changes will be approved if the proposed distribution of resources or activities would have been approvable within the original application.

- c) All grants issued under this Part shall be governed by the Illinois Grant Funds Recovery Act (Ill. Rev. Stat. 1989, ch. 127, par. 2301 et seq.) Funds granted for the operation of this program must be used exclusively for the purposes stated in the approved proposal and expended in accordance with the approved budget and the grantee's policies and procedures related to such expenditures.

- d) The State Board of Education and its agents shall have complete access, during the grantee's regular hours of operation and without prior notice, to files, records and all other property maintained by the grantee pursuant to the grant agreement.

- e) Subcontract Information

The applicant may enter into a subcontract with another not-for-profit agency to implement the program. However, all program and fiscal responsibilities are to be retained by the applicant to ensure compliance with the terms and conditions of the grant.

- 1) All subcontracting must be documented and must have prior approval. The following information is required if subcontracting is to be used:

- A) Name and address of subcontractor(s).
- B) Need/purpose for subcontracting.
- C) Measurable and time-specific services to be provided.
- D) Associated costs, i.e., amount to be paid under the subcontract.

- 2) Subcontracting will be approved if the proposed activities and use of resources would have been approvable if carried out by the recipient.

- f) Grant recipients must submit a year-end report to the State Board of Education within thirty days after the

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project's conclusion. That report must include the following information:

- 1) Objectives and activities completed.
  - 2) Resources utilized during the grant period.
  - 3) Final evaluation of the program, including the extent to which the program proved to be a successful intervention strategy for improving scientific literacy, the program's effect on the target population, and its replicability by other agencies and/or institutions providing educational experiences in scientific literacy.
  - 4) Planned strategies for the continued development and implementation of the program, including resources to be utilized.
  - 5) A completed final expenditure report form.
  - 6) A final summary of methods, data, and conclusions (as a journal-style article, 2-5 pages).
- g) The time period of the grant shall run from July 1 of the calendar year of the award, or from a date to be negotiated, through August 31 of the following calendar year.





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- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed rule contain incorporations by reference?  
 Yes. Section 615.103 incorporates standards and guidelines of nationally recognized organizations and rules and guidelines of federal agencies.
- 9) Are there any other amendments pending on this part? No
- 10) Statement of Statewide Policy Objectives:

The rulemaking is mandated by Section 14.4 of the Environmental Protection Act. Statements of statewide policy objectives are set forth in Section 14.4 of the Environmental Protection Act and Section 7452 of the Groundwater Protection Act. This rulemaking imposes mandates on units of local government only to the extent that they may be involved in any of the activities described in the proposed rules including landfilling, land treating, surface impounding, and piling of wastes; or the use of underground storage tanks or pesticide, fertilizer, road oil or de-icing agent storage and handling units, as specified in the proposed rules.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

The Board will accept written public comment on this proposal for a minimum of 45 days after the date of this publication. Comments should reference Docket R89-5 and be addressed to:

Ms. Dorothy M. Gunn, Clerk  
 Illinois Pollution Control Board  
 State of Illinois Center  
 100 W. Randolph Suite, Suite 11-500  
 Chicago, IL 60601

- 12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs:

June 20, 1991

- B) Types of small businesses affected:

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Small businesses may be affected to the extent that they may be involved in any of the activities described in the proposed rules including landfilling, land treating, surface impounding, and piling of wastes; or the use of underground storage tanks, or the use of pesticide, fertilizer, road oil, or de-icing agent storage and handling units.

- C) Reporting, bookkeeping or other procedures required for compliance:

The proposed rules require reporting, bookkeeping and other procedures, including sampling, analysis, and other monitoring requirements and preparation of certification documents.

- D) Types of professional skills necessary for compliance:

Compliance with the proposed rules may require the services of an attorney and chemist, and does require the services of a registered professional engineer and registered land surveyor.

The full text of the Proposed Rules begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE F: PUBLIC WATER SUPPLIES  
CHAPTER I: POLLUTION CONTROL BOARD

## PART 615

## EXISTING ACTIVITIES IN A SETBACK ZONE OR REGULATED RECHARGE AREA

## SUBPART A: GENERAL

Section  
615.101  
615.102  
615.103  
615.104  
615.105

Purpose  
Definitions  
Incorporations by Reference  
Prohibitions  
General Exceptions

## SUBPART B: GROUNDWATER MONITORING REQUIREMENTS

Section  
615.201  
615.202  
615.203  
615.204  
615.205  
615.206  
615.207  
615.208  
615.209  
615.210  
615.211

Applicability  
Compliance Period  
Compliance with Groundwater Standards  
Groundwater Monitoring System  
Groundwater Monitoring Program  
Contaminants to be Monitored  
Sampling Frequency  
Reporting  
Non-Compliance Response Program  
Alternate Non-Compliance Response Program  
Corrective Action Program

## SUBPART C: GENERAL CLOSURE AND POST-CLOSURE REQUIREMENTS

Section  
615.301  
615.302  
615.303  
615.304  
615.305  
615.306  
615.307

Applicability  
Closure Performance Standard  
Certification of Closure  
Survey Plat  
Post-Closure Notice for Waste Disposal Units  
Certification of Completion of Post-Closure Care  
Post-Closure Care Period

## SUBPART D: LANDFILLS

Section  
615.401  
615.402

Applicability  
Required Closure of Units Located Within Minimum  
Setback Zones

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615.403 Required Closure of Units Located Within Maximum  
Setback Zones  
615.404 Required Closure of Units Located Within Regulated  
Recharge Areas

## SUBPART E: LAND TREATMENT UNITS

Section  
615.421  
615.422  
615.423  
615.424  
615.425

Applicability  
Required Closure of Units Located Within Minimum  
Setback Zones  
Required Closure of Units Located Within Maximum  
Setback Zones  
Land Treatment of Sludges in Maximum Setback Zones  
Closure and Post-Closure Care

## SUBPART F: SURFACE IMPOUNDMENTS

Section  
615.441  
615.442  
615.443  
615.444  
615.445  
615.446  
615.447

Applicability  
Required Closure of Units Located Within Minimum  
Setback Zones  
Required Closure of Units Located Within Maximum  
Setback Zones  
Groundwater Monitoring  
Inspection Requirements  
Operating Requirements  
Closure and Post-Closure Care

## SUBPART G: WASTE PILES

Section  
615.461  
615.462  
615.463

Applicability  
Design and Operating Requirements  
Closure

## SUBPART H: UNDERGROUND STORAGE TANKS

Section  
615.501  
615.502

Applicability  
Design and Operating Requirements

## SUBPART I: PESTICIDE STORAGE AND HANDLING UNITS

Section  
615.601  
615.602

Applicability  
Groundwater Monitoring



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615.603 Design and Operating Requirements  
615.604 Closure and Post-Closure Care

SUBPART J: FERTILIZER STORAGE AND HANDLING UNITS

Section  
615.621 Applicability  
615.622 Groundwater Monitoring  
615.623 Design and Operating Requirements  
615.624 Closure and Post-Closure Care

SUBPART K: ROAD OIL STORAGE AND HANDLING UNITS

Section  
615.701 Applicability  
615.702 Required Closure of Units Located Within Minimum  
Setback Zones  
615.703 Groundwater Monitoring  
615.704 Design and Operating Requirements for Above-Ground  
Storage Tanks  
615.705 Closure

SUBPART L: DE-ICING AGENT STORAGE AND HANDLING UNITS

Section  
615.721 Applicability  
615.722 Groundwater Monitoring  
615.723 Design and Operating Requirements  
615.724 Closure

AUTHORITY: Implementing and authorized by Sections 5, 14.4, 21, 22, and 27 of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 1005, 1014.4, 1021, 1022, and 1027).

SOURCE: Adopted in R89-5 at \_\_\_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART A: GENERAL

Section 615.101 Purpose

This Part prescribes requirements and standards for the protection of groundwater for certain types of existing facilities or units located wholly or partially within a setback

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zone regulated by the Act or within a regulated recharge area as delineated pursuant to Section 17.4 of the Act.

Section 615.102 Definitions

Except as stated in this Section, and unless a different meaning of a word or term is clear from the context, the definition of words or terms in this Part shall be the same as those used in the Act or the Illinois Groundwater Protection Act (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 7451 et seq.):

"Above-ground storage tank" means a storage tank that is not an underground storage tank.

"Act" means the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 1001 et seq.)

"Agency" means the Illinois Environmental Protection Agency.

"Board" means the Illinois Pollution Control Board.

"Certification" means a statement of professional opinion based upon knowledge and belief.

"COMMUNITY WATER SUPPLY" MEANS A PUBLIC SUPPLY WHICH SERVES OR IS INTENDED TO SERVE AT LEAST 15 SERVICE CONNECTIONS USED BY RESIDENTS OR REGULARLY SERVES AT LEAST 25 RESIDENTS. (Section 3.05 of the Act)

"Compliance point" means any point that is located immediately beneath a unit boundary and within a groundwater designated at 35 Ill. Adm. Code 620. Subpart B as a Class I through III groundwater, at a hydraulically downgradient point of groundwater flow. If groundwater flow directions vary temporally or vertically, there may be more than one compliance point.

"Commencement of construction" means that ALL NECESSARY FEDERAL, STATE, AND LOCAL APPROVALS HAVE BEEN OBTAINED, AND WORK AT THE SITE HAS BEEN INITIATED AND PROCEEDS IN A REASONABLY CONTINUOUS MANNER TO COMPLETION. (Section 3.58 of the Act)

"Container" means any portable device (including, but not limited to, 55 gallon drums) in which material is

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stored, treated, disposed or otherwise handled. The term "container" does not include a vehicle used to transport material.

"Containerized" means being in a container.

"CONTAMINANT" IS ANY SOLID, LIQUID, OR GASEOUS MATTER, ANY ODOR, OR ANY FORM OF ENERGY, FROM WHATEVER SOURCE. (Section 3.06 of the Act)

"CONTAMINATION" OR "CONTAMINATE" WHEN USED IN CONNECTION WITH GROUNDWATER, MEANS WATER POLLUTION OF SUCH GROUNDWATER. (Section 3.63 of the Act)

"Date of first applicability" means the effective date of this Part, except that:

If a unit is first incorporated into any setback zone by an ordinance or regulation that establishes a maximum setback zone, the date of first applicability is the effective date of this Part or the effective date of the ordinance or regulation that establishes the maximum setback zone, whichever is later; or

If a unit is located in a part of a regulated recharge area that was not previously part of a setback zone, the date of first applicability is the effective date of the ordinance or regulation that establishes the regulated recharge area.

"De-Icing agent" means a chemical used for de-icing, including but not limited to sodium chloride and calcium chloride. Sand, ashes, or other abrasive materials that do not alter the freezing point of water are not de-icing agents.

"Detection" means the identification of a contaminant in a sample at a value equal to or greater than the:

"Method Detection Limit" or "MDL", which means the minimum concentration of a substance that can be measured as reported with 99 percent confidence that the true value is greater than zero pursuant to 54 Fed. Reg. 22100; or

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"Method Quantitation Limit" or "MQL", which means the minimum concentration of a substance that can be measured and reported pursuant to "Test Methods for Evaluating Solid Wastes, Physical/ Chemical Methods", incorporated by reference in Section 615.103.

"Dike" means an embankment or ridge of either natural or manmade materials used to prevent the movement of liquids, sludges, solids, or other materials.

"Discharge" means the accidental or intentional spilling, leaking, pumping, pouring, emitting, emptying or dumping of any material onto or on any land or water.

"DISPOSAL" MEANS THE DISCHARGE, DEPOSIT, INJECTION, DUMPING, SPILLAGE, LEAKING OR PLACING OF ANY WASTE OR HAZARDOUS WASTE INTO OR ON ANY LAND OR WATER OR INTO ANY WELL SO THAT SUCH WASTE OR HAZARDOUS WASTE OR ANY CONSTITUENT THEREOF MAY ENTER THE ENVIRONMENT OR BE EMITTED INTO THE AIR OR DISCHARGED INTO ANY WATERS, INCLUDING GROUNDWATERS. (Section 3.08 of the Act)

"Existing unit" means a unit that was in operation or for which there is commencement of construction on or before the date of first applicability, except that a unit is not an existing unit if the unit:

Expands laterally beyond the unit boundary after the date of first applicability; or

Undergoes major reconstruction after the date of first applicability; or

Reopens at any time after having submitted a certification of closure to the Agency.

"Facility" means all contiguous land and structures, other appurtenances and improvements on the land used for the treating, storing, handling, or disposal of any material which causes that unit to be regulated under this Part. A facility may consist of one or more units.

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"Freeboard" means the vertical distance between the top of a tank or dike and the surface of the material contained therein.

"Free liquids" means liquids which readily separate from the solid portion of a waste under ambient temperature and pressure. To demonstrate the absence or presence of free liquids in either a containerized or a bulk waste, the following test must be used:

Method 9095 (Paint Filter Liquids Test) as described in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods." (EPA Publication No. SW-846, incorporated by reference in Section 615.103).

"GROUNDWATER" MEANS UNDERGROUND WATER WHICH OCCURS WITHIN THE SATURATED ZONE AND GEOLOGIC MATERIALS WHERE THE FLUID PRESSURE IN THE PORE SPACE IS EQUAL TO OR GREATER THAN ATMOSPHERIC PRESSURE. (Section 3.64 of the Act)

"Groundwater standards" means the water quality standards for groundwater adopted by the Board under Section 8 of the Illinois Groundwater Protection Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 7458) and found at 35 Ill. Adm. Code 620.

"HAZARDOUS WASTE" MEANS A WASTE, OR COMBINATION OF WASTES, WHICH BECAUSE OF ITS QUANTITY, CONCENTRATION, OR PHYSICAL, CHEMICAL, OR INFECTIOUS CHARACTERISTICS MAY CAUSE OR SIGNIFICANTLY CONTRIBUTE TO AN INCREASE IN MORTALITY OR AN INCREASE IN SERIOUS, IRREVERSIBLE, OR INCAPACITATING REVERSIBLE, ILLNESS; OR POSE A SUBSTANTIAL PRESENT OR POTENTIAL HAZARD TO HUMAN HEALTH OR THE ENVIRONMENT WHEN IMPROPERLY TREATED, STORED, TRANSPORTED, OR DISPOSED OF, OR OTHERWISE MANAGED, AND WHICH HAS BEEN IDENTIFIED, BY CHARACTERISTICS OR LISTING, AS HAZARDOUS PURSUANT 35 Ill. Adm. Code 721. (Section 3.15 of the Act)

"Incompatible material" means a material which may:

- Cause corrosion or decay of containment materials (e.g., container inner liners or tank walls); or
- When commingled with another material, produces heat or pressure, fire, explosion, violent

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reaction, toxic dusts, mists, fumes or gases, or flammable fumes or gases.

"Landfill" means a unit or part of a facility in or on which waste is placed and accumulated over time for disposal, and which is not a land application unit, a surface impoundment or an underground injection well.

"LANDSCAPE WASTE" MEANS ALL ACCUMULATIONS OF GRASS OR SHRUBBERY CUTTINGS, LEAVES, TREE LIMBS AND OTHER MATERIALS ACCUMULATED AS THE RESULT OF THE CARE OF LAWNS, SHRUBBERY, VINES AND TREES. (Section 3.20 of the Act)

"Land treatment" means the application of waste onto or incorporation of waste into the soil surface.

"Leachate" means any liquid, including suspended components in the liquid, that has percolated through or drained from a material.

"Licensed water well contractor" means a person licensed under the Water Well and Pump Installation Contractor's License Act (Ill. Rev. Stat. 1989, ch. 111, pars. 7101 et seq., as amended).

"Liner" means a continuous layer of natural or manmade materials beneath or on the side of a surface impoundment, landfill, landfill cell, waste pile, or storage pile which restricts the downward or lateral escape of waste, waste constituents, leachate or stored materials.

"Major reconstruction" means commencement of construction at a facility where the fixed capital cost of the new components constructed within a 2-year period exceeds 50% of the fixed capital cost of a comparable entirely new facility.

"New unit" means a unit that is not an existing unit.

"NON-COMMUNITY WATER SUPPLY" MEANS A PUBLIC WATER SUPPLY THAT IS NOT A COMMUNITY WATER SUPPLY. (Section 3.05 of the Act)

"Non-special waste" means a waste that is not a special waste.



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"Off-site" means not on-site.

"On-site", "on the site", or "on the same site" means the same or geographically contiguous property which may be divided by public or private right-of-way, provided the entrance and exit between the properties is at a crossroads intersection and access is by crossing as opposed to going along the right-of-way. Noncontiguous properties owned by the same person but connected by a right-of-way which he controls and to which the public does not have access is also considered on-site property.

"Operator" means the person responsible for the operation of a site, facility or unit.

"Owner" means the person who owns a site, facility or unit or part of a site, facility or unit, or who owns the land on which the site, facility or unit is located.

"PESTICIDE" MEANS ANY SUBSTANCE OR MIXTURE OF SUBSTANCES INTENDED FOR PREVENTING, DESTROYING, REPELLING, OR MITIGATING ANY PEST OR ANY SUBSTANCE OR MIXTURE OF SUBSTANCES INTENDED FOR USE AS A PLANT REGULATOR, DEFOLIANT OR DESICCANT. (Section 3.71 of the Act)

"Pile" means any noncontainerized accumulation of solid, non-flowing material that is used for treatment or storage.

"POTABLE" MEANS GENERALLY FIT FOR HUMAN CONSUMPTION IN ACCORDANCE WITH ACCEPTED WATER SUPPLY PRINCIPLES AND PRACTICES. (Section 3.65 of the Act)

"Practical Quantitation Limit (PQL)" means the limit set forth in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846, incorporated by reference in Section 615.103.

"PUBLIC WATER SUPPLY" MEANS ALL MAINS, PIPES AND STRUCTURES THROUGH WHICH WATER IS OBTAINED AND DISTRIBUTED TO THE PUBLIC, INCLUDING WELLS AND WELL STRUCTURES, INTAKES AND CRIBS, PUMPING STATIONS, TREATMENT PLANTS, RESERVOIRS, STORAGE TANKS AND

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APPURTENANCES, COLLECTIVELY OR SEVERALLY, ACTUALLY USED OR INTENDED FOR USE FOR THE PURPOSE OF FURNISHING WATER FOR DRINKING OR GENERAL DOMESTIC USE AND WHICH SERVE AT LEAST 15 SERVICE CONNECTIONS OR WHICH REGULARLY SERVE AT LEAST 25 PERSONS AT LEAST 60 DAYS PER YEAR. A PUBLIC WATER SUPPLY IS EITHER A "COMMUNITY WATER SUPPLY" OR A "NON-COMMUNITY WATER SUPPLY". (Section 3.28 of the Act)

"Reactive material" means a material which meets one or more of the following criteria:

It is normally unstable and readily undergoes violent change without detonating;

It reacts violently with water;

It forms potentially explosive mixtures with water;

When mixed with water, it generates toxic gases, vapors, or fumes in a quantity sufficient to present a danger to human health or the environment;

It is capable of detonation or explosive reaction if it is subject to a strong initiating source, or if heated under confinement;

It is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure; or

It is a forbidden explosive as defined in 49 CFR 173 (incorporated by reference in Section 615.103), or a Class A explosive as defined in 49 CFR 173.53 or a Class B explosive as defined in 49 CFR 173.88.

"Registered land surveyor" means a person registered under the Illinois Land Surveyors Act (Ill. Rev. Stat. 1989, ch. 111, pars. 3201 et seq.).

"Registered professional engineer" means a person registered under the Illinois Professional Engineering Act (Ill. Rev. Stat. 1989, ch. 111, par. 5101 et seq.).

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"REGULATED RECHARGE AREA" MEANS A COMPACT GEOGRAPHIC AREA, AS DETERMINED BY THE BOARD PURSUANT TO SECTION 17.4 OF THE ACT, THE GEOLOGY OF WHICH RENDERS A POTABLE RESOURCE GROUNDWATER PARTICULARLY SUSCEPTIBLE TO CONTAMINATION. (Section 3.67 of the Act)

"Road oil" means slow-curing asphaltic oils which show no separation on standing and which are used for road construction, maintenance or repair.

"Runoff" means any rainwater, leachate or other liquid that drains over land from any part of a facility.

"Run-on" means any rainwater, leachate or other liquid that drains over land onto any part of a facility.

"Secondary containment structure" means any structure or basin intended to contain spills and prevent runoff or leaching from piles, containers, or tanks and related piping.

"SETBACK ZONE" MEANS A GEOGRAPHIC AREA, DESIGNATED PURSUANT TO THIS ACT, CONTAINING A POTABLE WATER SUPPLY WELL OR A POTENTIAL SOURCE OR POTENTIAL ROUTE HAVING A CONTINUOUS BOUNDARY, AND WITHIN WHICH CERTAIN PROHIBITIONS OR REGULATIONS ARE APPLICABLE IN ORDER TO PROTECT GROUNDWATERS. (Section 3.61 of the Act)

"SITE" MEANS ANY LOCATION, PLACE, TRACT OF LAND, AND FACILITIES, INCLUDING BUT NOT LIMITED TO BUILDINGS, AND IMPROVEMENTS USED FOR PURPOSES SUBJECT TO REGULATION OR CONTROL BY THIS ACT OR REGULATIONS THEREUNDER. (Section 3.43 of the Act)

"SPECIAL WASTE" MEANS ANY INDUSTRIAL PROCESS WASTE, POLLUTION CONTROL WASTE OR HAZARDOUS WASTE, EXCEPT AS DETERMINED PURSUANT TO SECTION 22.9 OF THE ACT AND 35 Ill. Adm. Code 808. (Section 3.45 of the Act)

"STORAGE" means the holding or containment of a material, either on a temporary basis or for a period of years, in such manner as not to constitute disposal of such material.

"Surface impoundment" means a natural topographical depression, man-made excavation, or diked area that is

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designed to hold liquid wastes or wastes containing free liquids.

"Surface water" means all waters that are open to the atmosphere.

"Tank" means a stationary device, designed to contain an accumulation of material which is constructed of non-earthen materials (e.g., wood, concrete, steel, plastic) which provide structural support. The term "tank" does not include areas used to accumulate materials prior to pumping to tanks or containers (i.e., sump pits) or associated piping. The term "tank" does not include vehicles used to transport material.

"Treatment" means any method, technique or process, including neutralization, designed to change the physical, chemical or biological character or composition of any material so as to neutralize such material, or so as to recover energy or material resources from the material or so as to render such material nonhazardous or less hazardous; safer to transport, store or dispose of, or amenable for recovery, amenable for storage or reduced in volume.

"Underground storage tank" means a storage tank as defined at 35 Ill. Adm. Code 731.101(f).

"UNIT" MEANS ANY DEVICE, MECHANISM, EQUIPMENT, OR AREA (EXCLUSIVE OF LAND UTILIZED ONLY FOR AGRICULTURAL PRODUCTION). (Section 3.62 of the Act)

"Unit boundary" means a line at the land's surface circumscribing the area on which, above which or below which waste, pesticides, fertilizers, road oils or de-icing agents will be placed during the active life of the facility. The space taken up by any liner, dike or other barrier designed to contain waste, pesticides, fertilizers, road oils or de-icing agents falls within the unit boundary.

"WASTE" MEANS ANY GARBAGE, SLUDGE FROM A WASTE TREATMENT PLANT, WATER SUPPLY TREATMENT PLANT, OR AIR POLLUTION CONTROL FACILITY OR OTHER DISCARDED MATERIAL, INCLUDING SOLID, LIQUID, SEMI-SOLID, OR CONTAINED GASEOUS MATERIAL RESULTING FROM INDUSTRIAL, COMMERCIAL,

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MINING AND AGRICULTURAL OPERATIONS, AND FROM COMMUNITY ACTIVITIES, BUT DOES NOT INCLUDE:

INDUSTRIAL DISCHARGES WITH NPDES PERMITS ISSUED PURSUANT TO 35 ILL. ADM. CODE 309;

SOURCE, SPENT NUCLEAR, OR BY-PRODUCT MATERIALS AS DEFINED BY THE ATOMIC ENERGY ACT OF 1954 (42 U.S.C. 2014);

ANY SOLID OR DISSOLVED MATERIAL FROM ANY MATERIAL SUBJECT TO 62 ILL. ADM. CODE 1700 THROUGH 1850. (Section 3.53 of the Act)

"Waste pile" means a pile consisting of waste which has a total volume greater than 10 cubic yards or which is stored for over 90 days.

"WATERS" MEANS ALL ACCUMULATIONS OF WATER, SURFACE AND UNDERGROUND, NATURAL, AND ARTIFICIAL, PUBLIC AND PRIVATE, OR PARTS THEREOF, WHICH ARE WHOLLY OR PARTLY WITHIN, FLOW THROUGH, OR BORDER UPON THIS STATE. (Section 3.56 of the Act)

"WELL" MEANS A BORED, DRILLED OR DRIVEN SHAFT, OR DUG HOLE, THE DEPTH OF WHICH IS GREATER THAN THE LARGEST SURFACE DIMENSION. (Section 3.57 of the Act)

## Section 615.103 Incorporations by Reference

a) The Board incorporates the following material by reference:

- 1) 49 CFR 173 (1988).
- 2) "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods," EPA Publication No. SW-846 (Third Edition, 1986, as amended by Revision I (December 1987)). (Available from: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401, (202-783-3238)).

b) This Section incorporates no later amendments or editions.

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## Section 615.104 Prohibitions

No person shall cause or allow the construction, use or operation of any facility or unit in violation of the Act or regulations adopted by the Board thereunder, including but not limited to this Part.

## Section 615.105 General Exceptions

This Part does not apply to any facility or unit, or to the owner or operator of any facility or unit:

- a) For which the owner or operator obtains certification of minimal hazard pursuant to Section 14.5 of the Act; or
- b) For which alternate requirements are imposed in an adjusted standard proceeding or as part of a site-specific rulemaking, pursuant to Title VII of the Act; or
- c) For which alternate requirements are imposed in a regulated recharge area proceeding pursuant to Section 17.4 of the Act; or
- d) That is LOCATED ON THE SAME SITE AS A NON-COMMUNITY WATER SYSTEM WELL AND FOR WHICH THE OWNER IS THE SAME FOR BOTH THE facility or unit AND THE WELL. (Section 14.4(b) of the Act); or

e) That is located WITHIN A REGULATED RECHARGE AREA AS DELINEATED in 35 ILL. ADM. CODE 617, PROVIDED THAT:

- 1) THE BOUNDARY OF THE LATERAL AREA OF INFLUENCE OF A COMMUNITY WATER SUPPLY WELL LOCATED WITHIN THE REGULATED RECHARGE AREA does not INCLUDE SUCH facility or unit THEREIN;
- 2) THE DISTANCE FROM THE WELLHEAD OF THE COMMUNITY WATER SUPPLY TO THE facility or unit EXCEEDS 2500 FEET; AND
- 3) THE COMMUNITY WATER SUPPLY WELL WAS not IN EXISTENCE PRIOR TO JANUARY 1, 1988.

(Section 14.4(b) of the Act).



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- f) Nothing in this Section shall limit the authority of the Board to impose requirements on any facility or unit within any portion of any setback zone or regulated recharge area as part of any adjusted standard proceeding, site-specific rulemaking or a regulatory proceeding establishing the regulated recharge area.

## SUBPART B: GROUNDWATER MONITORING REQUIREMENTS

## Section 615.201 Applicability

This Subpart applies to:

- a) Surface impoundments subject to Subpart F;
- b) Pesticide storage and handling units subject to Subpart I;
- c) Fertilizer storage and handling units subject to Subpart J;
- d) Road oil storage and handling units subject to Subpart K; and
- e) De-icing agent storage and handling units subject to Subpart L.

## Section 615.202 Compliance Period

The compliance period is the active life of the unit, including closure and post-closure care periods.

- a) The active life begins when the unit first begins operation or one year after the date of first applicability, whichever occurs later, and ends when the post-closure care period ends.
- b) The post-closure care period for units other than pesticide storage and handling units subject to Subpart I and fertilizer storage and handling units subject to Subpart J, is five years after closure, except as provided at Section 615.211(e).
- c) The post-closure care period for pesticide storage and handling units subject to Subpart I and for fertilizer storage and handling units subject to Subpart J is

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three years after closure, except as provided at Section 615.211(e).

- d) Subsections (b), (c) and (d) notwithstanding, there shall be no post-closure care period if all waste, waste residues, contaminated containment system components and contaminated subsoils are removed or decontaminated at closure, and there is no ongoing corrective action pursuant to Section 615.211.

## Section 615.203 Compliance with Groundwater Standards

The owner or operator shall comply with the groundwater standards.

- a) The term of compliance is the compliance period.
- b) Compliance shall be measured at the compliance point, or compliance points if more than one such point exists.

## Section 615.204 Groundwater Monitoring System

- a) Except as provided otherwise in subsection (b), the groundwater monitoring system must consist of a sufficient number of wells, installed at appropriate locations and depths to yield groundwater samples, that:

- 1) Represent the quality of background water that has not been affected by contamination from the facility or unit; and
  - 2) Represent the quality of groundwater at compliance point or points.
- b) If a potable well can be used as a monitoring well pursuant to this subsection, no additional monitoring wells are required under this Section. A potable well may be used as a monitoring well if:
- 1) The unit is located within a setback zone for a potable well other than a community water supply well;
  - 2) The well has been inspected by a licensed water well contractor;

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- 3) The owner or operator of the unit seeking to use the well as a monitoring well certifies to the Agency that the well is constructed in accordance with the Illinois Water Well Construction Code (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 116.111 et seq., as amended) and 35 Ill. Adm. Code 920, or that the well is constructed in accordance with the criteria adopted by the Agency pursuant to 35 Ill. Adm. Code 602.115; and
- 4) The unit treats and disposes solely non-special waste if the unit is a surface impoundment.
- c) If a facility contains more than one unit, separate groundwater monitoring systems are not required for each unit, provided that provisions for sampling the groundwater will enable detection and measurement of contaminants that have entered the groundwater from all units.
- d) All monitoring wells must meet the following requirements:
- 1) Construction must be done in a manner that will enable the collection of groundwater samples;
- 2) Casings and screens must be made from durable material that is resistant to expected chemical or physical degradation and that does not interfere with the quality of groundwater samples being collected; and
- 3) The annular space opposite the screened section of the well (i.e., the space between the bore hole and well screen) must be filled with gravel or sand if necessary to collect groundwater samples. The annular space above and below the well screen must be sealed to prevent migration of water from overlying formations and the surface to the sampled depth.

## Section 615.205 Groundwater Monitoring Program

The owner or operator shall develop a groundwater monitoring program that consists of:

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- a) Consistent sampling and analysis procedures that are designed to ensure monitoring results that provide a reliable indication of groundwater quality below the unit. At a minimum the program must include procedures and techniques for:
- 1) Sample collection;
- 2) Sample preservation and shipment;
- 3) Analytical procedures; and
- 4) Chain of custody control.
- b) Sampling and analytical methods that are appropriate for groundwater monitoring and that allow for detection and quantification of contaminants specified in this Subpart, and that are consistent with the sampling and analytical methods specified in 35 Ill. Adm. Code 620.
- c) A determination of the groundwater head elevation each time groundwater is sampled. A determination of the groundwater head elevation is not required for samples taken from a potable well used as a monitoring well pursuant to Section 615.204(b).
- d) A determination at least annually of the groundwater flow rate and direction.
- e) If the owner or operator determines that the groundwater monitoring program no longer satisfies the requirements of this Section, the owner or operator shall, within 90 days, make appropriate changes to the program and shall notify the Agency of such changes when submitting the groundwater monitoring reports under Section 615.208.

## Section 615.206 Contaminants to be Monitored

- a) The owner or operator shall monitor for all parameters that meet the following criteria, except as provided in subsections (b) and (c):

- 1) Material containing such parameter is stored, disposed, or otherwise handled at the site; and

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- 2) There is a groundwater standard for such parameter.
- b) The owner or operator of a unit subject to Subpart I for the storage and handling of pesticides shall monitor for five specific pesticides or five groups of chemically-similar pesticides stored or handled at the unit that are the most likely to enter into the groundwater from the unit and that are the most toxic. The owner or operator shall choose the five specific pesticides or five groups based upon the following criteria:
- 1) The volume of material stored or handled at the unit;
  - 2) The leachability characteristics of the pesticides stored or handled at the unit;
  - 3) The toxicity characteristics of the pesticides stored or handled at the unit;
  - 4) The history of spillage of the pesticides stored or handled at the unit; and
  - 5) Any groundwater standards for the pesticides stored or handled at the unit.
- c) The owner or operator of a unit subject to Subpart J for the storage and handling of fertilizers shall monitor for pH, specific conductance, total organic carbon, nitrates as nitrogen, and ammonia nitrogen.
- Section 615.207 Sampling Frequency
- a) The owner or operator shall determine whether groundwater standards have been exceeded at each monitoring well at least quarterly during the compliance period, except as provided otherwise in subsections (b), (c) or Section 615.209(b).
- b) The owner or operator of a unit subject to Subpart I for the storage and handling of pesticides or Subpart J for the storage and handling of fertilizer may substitute the quarterly determination of subsection (a) with a determination at least semi-annually provided that each of the following conditions is met:

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- 1) The unit is in compliance with the containment requirements of 8 Ill. Adm. Code 255;
  - 2) There have been no detections within the preceding two years in any of the monitoring wells of any contaminant stored or handled at the facility or of any contaminant attributable to operation of the unit; and
  - 3) No reportable agricultural spills have occurred at the facility with the previous two years.
- c) The owner or operator of a unit subject to Subpart K for the storage and handling of road oils or Subpart L for the storage and handling of de-icing agents shall determine whether groundwater standards have been exceeded at each monitoring well at least annually during the compliance period, except as provided at Section 615.209(b).
- Section 615.208 Reporting
- The owner or operator shall submit results of all monitoring required pursuant to this Subpart to the Agency within 60 days after completion of sampling.
- Section 615.209 Non-Compliance Response Program
- If monitoring results collected pursuant to Sections 615.206 and 615.207 show that a groundwater standard has been exceeded, the owner or operator shall:
- a) Notify the Agency of this finding when submitting the groundwater monitoring results required pursuant to Section 615.208. The notification must indicate which groundwater standards have been exceeded.
  - b) Resample the groundwater within 3 days in all monitoring wells where a groundwater standard has been exceeded and redetermine the presence and concentration of each parameter required pursuant to Section 615.206, except that:
    - 1) If the unit is subject to Subpart I for the storage and related handling of pesticides, resample the groundwater within 3 days in all monitoring wells where a groundwater standard has



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been exceeded and determine the presence and concentration in each such sample of each pesticide previously and presently stored or handled at the unit.

- 2) If the unit is subject to Subpart J for the storage and related handling of fertilizers, monitor monthly for the parameters set forth in Section 615.206(c) until the groundwater standard is no longer exceeded.

- c) Submit the results of sampling required under subsection (b) when submitting the groundwater results required pursuant to Section 615.208.

- d) Prepare an engineering feasibility plan for a corrective action program designed to achieve the requirements of Section 615.211. This plan shall be submitted to the Agency in writing within 120 days after the date on which the sample results are submitted to the Agency pursuant to subsection (c), unless:

- 1) None of the parameters identified under subsection (b) exceed the groundwater standards; or
- 2) The owner or operator makes a demonstration pursuant to Section 615.210.

- e) Begin the corrective action program specified in subsection (d) within 120 days after the date on which the sample results are submitted to the Agency pursuant to subsection (c), unless:

- 1) None of the parameters identified under subsection (b) exceed the groundwater standards; or
- 2) The owner or operator makes a demonstration pursuant to Section 615.210.

## Section 615.210 Alternate Non-Compliance Response Program

If the groundwater sampling required pursuant to Section 615.207 shows that a groundwater standard has been exceeded, it is presumed that contamination from the facility or unit that is being monitored is responsible for the standard being exceeded. An owner or operator may overcome that presumption by making a

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clear and convincing demonstration that a source other than the facility or unit that is being monitored caused the exceedence or that the exceedence resulted from error in sampling, analysis or evaluation. In making such demonstration the owner or operator shall:

- a) Notify the Agency that the owner or operator intends to make a demonstration under this Section when submitting the groundwater monitoring results required pursuant to Section 615.208.

- b) Submit a report to the Agency that demonstrates that a source other than a facility or unit for which he is the owner or operator caused the groundwater standard to be exceeded, or that the groundwater standard was exceeded due to an error in sampling, analysis or evaluation. Such report must be included with the next submission of groundwater monitoring results required pursuant to Section 615.208; and

- c) Continue to monitor in accordance with the groundwater monitoring program established pursuant to Sections 615.205, 615.206, and 615.207.

## Section 615.211 Corrective Action Program

An owner or operator required to conduct a corrective action program pursuant to this Subpart shall:

- a) Begin corrective action within 120 days after the date on which the sample results are submitted to the Agency pursuant to Section 615.209(c).

- b) Take corrective action that results in compliance with the groundwater standards at the compliance point or points.

- c) Establish and implement a groundwater monitoring program to demonstrate the effectiveness of the corrective action program.

- d) Take corrective action that maintains compliance with the groundwater standards:

- 1) At all compliance points; and

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- 2) Beyond the unit boundary, where necessary to protect human health and the environment, unless the owner or operator demonstrates to the Agency that, despite the owner's or operator's best efforts, the owner or operator was unable to obtain the necessary permission to undertake such action. The owner or operator is not relieved of responsibility to clean up a release that has migrated beyond the unit boundary where off-site access is denied.

e) Continue corrective action measures during the compliance period to the extent necessary to ensure that the groundwater standard is not exceeded at the compliance point or points. If the owner or operator is still conducting corrective action at the end of the compliance period, the owner or operator shall continue that corrective action for as long as necessary to achieve compliance with the groundwater standards. The owner or operator may terminate corrective action measures taken beyond the compliance period if the owner or operator can demonstrate, based on data from the groundwater monitoring program under subsection (c), that the groundwater standards have not been exceeded for a period of three consecutive years.

f) Report in writing to the Agency on the effectiveness of the corrective action program. The owner or operator shall submit these reports semi-annually.

g) If the owner or operator determines that the corrective action program no longer satisfies the requirements of this Section, the owner or operator shall, within 90 days, make any appropriate changes to the program.

## SUBPART C: GENERAL CLOSURE AND POST-CLOSURE REQUIREMENTS

## Section 615.301 Applicability

This Subpart applies to:

- a) Land treatment units subject to Subpart E;
- b) Surface impoundments subject to Subpart F;
- c) Pesticide storage and handling units subject to Subpart I; and

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- d) Fertilizer storage and handling units subject to Subpart J.

## Section 615.302 Closure Performance Standard

The owner or operator shall close the unit in a manner that:

- a) Controls, minimizes or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of waste, waste constituents, leachate, contaminated runoff or waste decomposition products to soils, groundwaters, surface waters, and the atmosphere;
- b) Minimizes the need for maintenance during and beyond the post-closure care period; and
- c) Complies with the closure requirements of 35 Ill. Adm. Code: Subtitles C and G.

## Section 615.303 Certification of Closure

Within 60 days after completion of closure, the owner or operator shall submit to the Agency, by registered or certified mail, a certification that the unit has been closed in accordance with the closure requirements. The certification must be signed by the owner or operator and by an independent registered professional engineer. Documentation supporting the independent registered professional engineer's certification must be furnished to the Agency upon request.

## Section 615.304 Survey Plat

No later than the submission of the certification of closure of each unit, the owner or operator shall submit to any local zoning authority, or authority with jurisdiction over local land use, and to the Agency, and record with land titles, a survey plat indicating the location and dimensions of any waste disposal units, and any pesticide and fertilizer storage and handling units, with respect to permanently surveyed benchmarks. This plat must be prepared and certified by a registered land surveyor.

## Section 615.305 Post-Closure Notice for Waste Disposal Units

No later than 60 days after certification of closure of the unit, the owner or operator of a unit subject to Subpart D or F shall



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submit to the Agency, to the County Recorder and to any local zoning authority or authority with jurisdiction over local land use, a record of the type, location and quantity of wastes disposed of within each cell or other area of the unit.

Section 615.306 Certification of Completion of Post-Closure Care

No later than 60 days after completion of the established post-closure care period, the owner or operator shall submit to the Agency, by registered or certified mail, a certification that the post-closure care period for the unit was performed in accordance with the specifications in the approved post-closure plan. The certification must be signed by the owner or operator and an independent registered professional engineer. Documentation supporting the independent registered professional engineer's certification must be furnished to the Agency upon request.

Section 615.307 Post-Closure Care Period

The post-closure care period is as defined at Section 615.202.

SUBPART D: LANDFILLS

Section 615.401

Applicability

This Subpart applies to existing landfill units that are located wholly or partially within a setback zone or regulated recharge area and that contain special waste or other waste generated on-site, except that this Subpart does not apply to any existing landfill unit that:

- a) Contains solely one or more of the following: hazardous waste, livestock waste, landscape waste, or construction and demolition debris; or
- b) Is exempt from this Part pursuant to Section 615.105.

Section 615.402

Required Closure of Units Located Within Minimum Setback Zones

No person shall cause or allow the use or operation within a minimum setback zone of any landfill unit commencing two years after the effective date of this Part. Closure shall be completed three years after the effective date of this Part. This Section does not apply to any landfill unit that the Board expressly finds, in an adjusted standard proceeding, poses no

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significant hazard to a community water supply well or other potable water supply well.

Section 615.403 Required Closure of Units Located Within Maximum Setback Zones

No person shall cause or allow the use or operation within a maximum setback zone of any landfill unit at which special waste is disposed, commencing two years after the effective date of the ordinance or regulation that establishes the maximum setback zone. Closure shall be completed within three years after the effective date of the ordinance or regulation that establishes the maximum setback zone. This Section does not apply to any landfill unit that the Board expressly finds, in an adjusted standard proceeding, poses no significant hazard to a community water supply well or other potable water supply well.

Section 615.404 Required Closure of Units Located Within Regulated Recharge Areas

No person shall cause or allow the use or operation within a regulated recharge area of any landfill unit that contains special waste and for which the distance from the wellhead of the community water supply well to any part of the landfill unit is 2500 feet or less. This provision becomes effective four years after the date on which the Board establishes the regulated recharge area. Closure shall be completed within five years after the date on which the Board establishes the regulated recharge area. This Section does not apply to any existing landfill unit that the Board expressly finds, in the regulatory proceeding establishing the regulated recharge area, poses no significant hazard to a community water supply well.

SUBPART E: LAND TREATMENT UNITS

Section 615.421

Applicability

This Subpart applies to existing land treatment units that are located wholly or partially within a setback zone or regulated recharge area and that treat or dispose special waste or other waste generated on-site, except that this Subpart does not apply to any existing land treatment unit that:

- a) Contains solely one or more of the following: hazardous waste, livestock waste, landscape waste, or construction and demolition debris; or



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- b) Is exempt from this Part pursuant to Section 615.105.

Section 615.422 Required Closure of Units Located Within Minimum Setback Zones

No person shall cause or allow the use or operation within a minimum setback zone of any land treatment unit commencing two years after the effective date of this Part. Closure shall be completed within three years after the effective date of this Part. This Section does not apply to any land treatment unit that the Board expressly finds, in an adjusted standard proceeding, poses no significant hazard to a community water supply well or other potable water supply well.

Section 615.423 Required Closure of Units Located Within Maximum Setback Zones

No person shall cause or allow the use or operation within a maximum setback zone of any land treatment unit at which special waste is treated or disposed, commencing two years after the effective date of the ordinance or regulation that establishes the maximum setback zone. Closure shall be completed within three years after the effective date of the ordinance or regulation that establishes the maximum setback zone. This Section does not apply to any land treatment unit that the Board expressly finds, in an adjusted standard proceeding, poses no significant hazard to a community water supply well or other potable water supply well.

Section 615.424 Land Treatment of Sludges in Maximum Setback Zones

Nothing in this Subpart shall prohibit land treatment within a maximum setback zone of sludge resulting from the treatment of domestic wastewater or of sludge resulting from the treatment of water to produce potable water, if such activities are conducted in accordance with the Act and 35 Ill. Adm. Code: Subtitle C.

Section 615.425 Closure and Post-Closure Care

The owner or operator shall comply with the requirements of Sections 615.302 and 615.303.

SUBPART F: SURFACE IMPOUNDMENTS

Section 615.441 Applicability

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This Subpart applies to existing surface impoundment units that are located wholly or partially within a setback zone or regulated recharge area and that contain special waste or other waste generated on-site, except that this Subpart does not apply to any existing surface impoundment unit that:

- a) Contains solely one or more of the following: hazardous waste, livestock waste, landscape waste, or construction and demolition debris; or
- b) Is exempt from this Part pursuant to Section 615.105.

Section 615.442 Required Closure of Units Located Within Minimum Setback Zones

No person shall cause or allow the use or operation within a minimum setback zone of any surface impoundment unit commencing two years after the effective date of this Part. Closure shall be completed within three years after the effective date of this Part. This Section does not apply to any surface impoundment unit that the Board expressly finds, in an adjusted standard proceeding, poses no significant hazard to a community water supply well or other potable water supply well.

Section 615.443 Required Closure of Units Located Within Maximum Setback Zones

No person shall cause or allow the use or operation within a maximum setback zone of any surface impoundment unit at which special waste is stored, treated or disposed, commencing two years after the effective date of the ordinance or regulation that establishes the maximum setback zone. Closure shall be completed within three years after the effective date of the ordinance or regulation that establishes the maximum setback zone. This Section does not apply to any surface impoundment unit that the Board expressly finds, in an adjusted standard proceeding, poses no significant hazard to a community water supply well or other potable water supply well.

Section 615.444 Groundwater Monitoring

The owner or operator shall comply with the requirements of Subpart B.

Section 615.445 Inspection Requirements

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While a surface impoundment is in operation, it must be inspected weekly and after storms to detect evidence of any of the following:

- a) Deterioration, malfunctions or improper operation of overtopping control systems;
- b) Sudden drops in the level of the impoundment's contents;
- c) Severe erosion or other signs of deterioration in dikes or other containment devices; or
- d) A leaking dike.

## Section 615.446 Operating Requirements

- a) No person shall cause or allow incompatible materials to be placed in the same surface impoundment unit.
- b) A surface impoundment unit must be removed from service in accordance with subsection (c) when:
  - 1) The level of liquids in the unit suddenly drops and the drop is not known to be caused by changes in the flows into or out of the unit; or
  - 2) The dike leaks.
- c) When a surface impoundment unit must be removed from service as required by subsection (b), the owner or operator shall:
  - 1) Shut off the flow or stop the addition of wastes into the impoundment unit;
  - 2) Contain any surface leakage that has occurred or is occurring;
  - 3) Stop the leak;
  - 4) Take any other necessary steps to stop or prevent catastrophic failure;
  - 5) If a leak cannot be stopped by any other means, empty the impoundment unit; and

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- 6) Notify the Agency of the removal from service and corrective actions that were taken, such notice to be given within 10 days after the removal from service.
- d) No surface impoundment unit that has been removed from service in accordance with the requirements of this Section may be restored to service unless the portion of the unit that failed has been repaired.
- e) A surface impoundment unit that has been removed from service in accordance with the requirements of this Section and that is not being repaired must be closed in accordance with the provisions of this Section.

## Subpart 615.447 Closure and Post-Closure Care

- a) If closure is to be by removal, the owner or operator shall remove all waste, all waste residues, contaminated containment system components (liners, etc.), contaminated subsoils and structures and equipment contaminated with waste and leachate; and, if disposed in the State of Illinois, dispose of them at a disposal site permitted by the Agency under the Act.
- b) If closure is not to be by removal, the owner or operator shall comply with the requirements of Subpart C and shall:
  - 1) Eliminate free liquids by removing liquid wastes or solidifying the remaining wastes and waste residues.
  - 2) Stabilize remaining wastes to a bearing capacity sufficient to support final cover.
  - 3) Cover the surface impoundment unit with a final cover consisting of at least a 2-foot thick layer of compacted clay with a permeability of no more than  $1 \times 10^{-7}$  centimeters per second and designed and constructed to:
    - A) Provide long-term minimization of the migration of liquids through the closed impoundment unit;

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- B) Function with minimum maintenance;
- C) Promote drainage and minimize erosion or abrasion of the final cover; and
- D) Accommodate settling and subsidence so that the cover's integrity is maintained.
- c) If some waste residues or contaminated materials are left in place at final closure, the owner or operator shall comply with the requirements of Subpart C and shall:
- 1) Maintain the integrity and effectiveness of the final cover, including making repairs to the cap as necessary to correct the effects of settling, subsidence, erosion or other events;
  - 2) Maintain and monitor the groundwater monitoring system; and
  - 3) Prevent run-on and run-off from eroding or otherwise damaging the final cover.

## SUBPART G: WASTE PILES

## Section 615.461

## Applicability

This Subpart applies to existing waste piles that are located wholly or partially within a setback zone or regulated recharge area and that contain special waste or other waste generated on-site, except that this Subpart does not apply to any existing waste pile that:

- a) Contains solely one or more of the following: hazardous waste, livestock waste, landscape waste, or construction and demolition debris; or
- b) Is exempt from this Part pursuant to Section 615.105.

## Section 615.462

## Design and Operating Requirements

- a) The owner or operator shall not cause or allow:
  - 1) Disposal or storage in the waste pile of liquids or materials containing free liquids; or

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- 2) Migration and runoff of leachate into adjacent soil, surface water, or groundwater.
- b) A waste pile must comply with the following standards:
  - 1) The waste pile must be under an impermeable membrane or cover that provides protection from precipitation;
  - 2) The waste pile must be protected from surface water run-on; and
  - 3) The waste pile must be designed and operated to control wind dispersal of waste by a means other than wetting.
- c) This Section becomes applicable six months after the date of first applicability.

## Section 615.463

## Closure

The owner or operator shall accomplish closure by removing and disposing of all wastes and containment system components (liners, etc). If disposed in the State of Illinois, the waste and containment system components must be disposed at a disposal site permitted by the Agency under the Act.

## SUBPART H: UNDERGROUND STORAGE TANKS

## Section 615.501

## Applicability

This Subpart applies to existing underground storage tanks that are located wholly or partially within a setback zone or regulated recharge area and that contain special waste, except that this Subpart does not apply to any existing underground storage tank that:

- a) Pursuant to 35 Ill. Adm. Code 731.110(a) must meet the requirements set forth in 35 Ill. Adm. Code 731, unless such a tank is excluded from those requirements pursuant to 35 Ill. Adm. Code 731.110(b); or
- b) Must have interim status or a RCRA permit under 35 Ill. Adm. Code: Subtitle G; or
- c) Is exempt from this Part pursuant to Section 615.105.



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## Section 615.502 Design and Operating Requirements

Owners and operators of existing underground storage tanks that store special waste shall meet the requirements set forth in 35 Ill. Adm. Code 731. Such requirements must be met even if the tanks are excluded from coverage under 35 Ill. Adm. Code 731 by 35 Ill. Adm. Code 731.110(b). The exclusions set forth in 35 Ill. Adm. Code 731.110(b) do not apply to any underground storage tank which stores special waste.

## SUBPART I: PESTICIDE STORAGE AND HANDLING UNITS

## Section 615.601 Applicability

This Subpart applies to any existing unit for the storage and handling of pesticides that is located wholly or partially within a setback zone or regulated recharge area and that:

- a) Is operated for the purpose of commercial application; or
- b) Stores or accumulates pesticides prior to distribution to retail sales outlets, including but not limited to a unit that is a warehouse or bulk terminal.
- c) Subsections (a) and (b) notwithstanding, this Subpart does not apply to any unit exempt pursuant to Section 615.105.

## Section 615.602 Groundwater Monitoring

The owner or operator shall comply with the requirements of Subpart B.

## Section 615.603 Design and Operating Requirements

The owner or operator shall:

- a) Maintain a written record inventorying all pesticides stored or handled at the unit.
- b) At least weekly when pesticides are being stored, inspect storage containers, tanks, vents, valves, and appurtenances for leaks or deterioration caused by corrosion or other factors. If a leak or deterioration is found in any of these devices, the owner or operator must immediately repair or replace the device. The

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owner or operator shall maintain a written record of all inspections conducted under this Section and of all maintenance relating to leaks and deterioration of these devices.

- c) Store all containers containing pesticides within a pesticide secondary containment structure, if such containers are stored outside of a roofed structure or enclosed warehouse. For the purpose of this subsection a pesticide secondary containment structure is a structure that complies with the design standards set forth in 8 Ill. Adm. Code 255.
- d) Maintain all written records required under this Section at the site. The owner or operator shall provide any such record to the Agency upon request.

(Board Note: Owners or operators of facilities or units subject to this Part may also be subject to regulations under 8 Ill. Adm. Code 255).

## Section 615.604 Closure and Post-Closure Care

The owner or operator shall comply with the requirements of Subpart C.

## SUBPART J: FERTILIZER STORAGE AND HANDLING UNITS

## Section 615.621 Applicability

This Subpart applies to any existing unit for the storage and handling of fertilizers that is located wholly or partially within a setback zone or regulated recharge area and that:

- a) Is operated for the purpose of commercial application; or
- b) Stores or accumulates fertilizers prior to distribution to retail sales outlets, including but not limited to a unit that is a warehouse or bulk terminal.
- c) Subsections (a) and (b) notwithstanding, this Subpart does not apply to any unit exempt pursuant to Section 615.105.

## Section 615.622 Groundwater Monitoring

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The owner or operator shall comply with the requirements of Subpart B.

Section 615.623 Design and Operating Requirements

The owner or operator shall:

- a) Maintain a written record inventorying all fertilizers stored or handled at the unit.
- b) At least weekly when fertilizers are being stored, inspect storage containers, tanks, vents, valves, and appurtenances for leaks or deterioration caused by corrosion or other factors. If a leak or deterioration is found in any of these devices, the owner or operator shall immediately repair or replace the device. The owner or operator shall maintain a written record of all inspections conducted under this Section and of all maintenance relating to leaks and deterioration of these devices.
- c) Store all containers containing fertilizers (except anhydrous ammonia) within a fertilizer secondary containment structure, if such containers are stored outside of a roofed structure or enclosed warehouse. For the purpose of this subsection a fertilizer secondary containment structure is a structure that complies with the design standards set forth in 8 Ill. Adm. Code 255.
- d) Maintain all written records required under this Section at the site. The owner or operator shall provide any such record to the Agency upon request.

(Board Note: Owners or operators of facilities or units subject to this Part may also be subject to regulations under 8 Ill. Adm. Code 255).

Section 615.624 Closure and Post-Closure Care

The owner or operator shall comply with the requirements of Subpart C.

## SUBPART K: ROAD OIL STORAGE AND HANDLING UNITS

Section 615.701 Applicability

## POLLUTION CONTROL BOARD

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This Subpart applies to any existing unit for the storage and related handling of road oils that is located wholly or partially within a setback zone or regulated recharge area and at which greater than 25,000 gallons of road oils are stored or accumulated at any one time, except as otherwise provided in Section 615.105.

Section 615.702 Required Closure of Units Located Within Minimum Setback Zones

- a) No person shall cause or allow the use or operation within a minimum setback zone of any road oil storage and handling unit if the road oils stored and handled at the unit contain wastes.
- b) Subsection (a) is effective two years after the effective date of this Part. Closure must be completed within three years after the effective date of this Part.
- c) Subsections (a) and (b) do not apply to any unit that the Board expressly finds, in an adjusted standard proceeding, poses no significant hazard to a community water supply well or other potable water supply well.

Section 615.703 Groundwater Monitoring

The owner or operator shall comply with the requirements of Subpart B.

Section 615.704 Design and Operating Requirements for Above-Ground Storage Tanks

- a) The owner or operator shall not cause or allow:
  - 1) Materials to be placed in a tank if such materials could cause the tank to rupture, leak, corrode, or otherwise fail.
  - 2) Uncovered tanks to be placed or operated so as to maintain less than 60 centimeters (2 feet) of freeboard unless:
    - A) The tank is equipped with a containment structure (e.g., dike or trench), a drainage control system, or a diversion structure (e.g., standby tank); and

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- B) Such containment structure, drainage control system, or diversion structure has a capacity that equals or exceeds the volume of the top 60 centimeters (2 feet) of the tank.
- 3) Material to be continuously fed into a tank, unless the tank is equipped with a means to stop this inflow (e.g., a feed cutoff system or a bypass system to a standby tank).
- 4) Incompatible materials to be placed in the same tank.
- 5) Material to be placed in a tank that previously held an incompatible material unless the incompatible material has been washed from the tank.
- 6) Ignitable or reactive material to be placed in a tank unless:
- A) The material is stored or treated in such a way that it is protected from any material or conditions that may cause it to ignite or react; or
- B) The tank is used solely for emergencies.
- b) The owner or operator shall provide and maintain primary containment for the tank such that:
- 1) The tank has a minimum shell thickness that ensures that the tank will not fail (i.e., collapse, rupture, etc.).
- 2) The tank is compatible with the material to be placed in the tank or the tank is lined with a substance that is compatible with the material to be placed on the tank.
- c) The owner or operator shall provide and maintain secondary containment for the tank that:
- 1) Is capable of containing the volume of the largest tank or 10% of the total volume for all tanks, whichever is greater;

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- 2) Is constructed of material capable of containing a spill until cleanup occurs (e.g., concrete or clay). The base of the secondary containment area must be capable of minimizing vertical migration of a spill until cleanup occurs (e.g., concrete or clay);
- 3) Has cover (e.g., crushed rock or vegetative growth) on earthen embankments sufficient to prevent erosion; and
- 4) Isolates the tank from storm water drains and from combined storm water drains and sewer drains.
- d) If incompatible materials are handled at the site secondary containment sufficient to isolate the units containing the incompatible materials must be provided.
- e) The owner or operator of a tank shall also:
- 1) Test above-ground tanks and associated piping every five years for structural integrity.
- 2) Remove uncontaminated storm water runoff from the secondary containment area immediately after a precipitation event.
- 3) Handle contaminated storm water runoff in accordance with 35 Ill. Adm. Code 302.Subpart A.
- 4) Provide a method for obtaining a sample from each tank.
- 5) Install, maintain, and operate a material level indicator on each tank.
- 6) When not in use, lock all gauges and valves that are used to inspect levels in the tank. All such devices must be located within the containment structure.
- f) This Section becomes applicable two years after the date of first applicability.



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- a) At closure, all materials must be removed from containers, tanks, discharge control equipment, and discharge confinement structures.
- b) All materials that are to be disposed in the State of Illinois must be disposed at a disposal site permitted by the Agency under the Act.

## SUBPART L: DE-ICING AGENT STORAGE AND HANDLING UNITS

## Section 615.721 Applicability

This Subpart applies to any existing unit for the storage and related handling of de-icing agents that is located wholly or partially within a setback zone and at which more than 50,000 pounds of de-icing agent are stored or accumulated at any one time, except as otherwise provided in Section 615.105. For the purpose of this Subpart:

- a) An indoor storage unit means a storage unit with a roof capable of protecting de-icing agents from wind and precipitation;
- b) An outdoor storage unit means a unit for the storage of de-icing agents that is not an indoor storage unit.

## Section 615.722 Groundwater Monitoring

The owner or operator shall comply with the requirements of Subpart B.

## Section 615.723 Design and Operating Requirements

- a) Indoor facilities must comply with the following standards beginning two years after the date of first applicability:

- 1) The base of the facility must be constructed of materials capable of containing de-icing agents (i.e., bituminous or concrete pad).
- 2) The roof and walls of the facility must be constructed of materials capable of protecting the storage pile from precipitation and capable of preventing dissolved de-icing agents from entering into the adjacent soil, surface water, or groundwater. The walls of the facility must be

## POLLUTION CONTROL BOARD

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constructed of materials compatible with the de-icing agents to be placed in the facility. Run-off from the roof must be diverted away from the loading pad.

- 3) All areas surrounding the storage pile, including but not limited to the loading pad, must be routinely inspected to determine whether any release of de-icing agents has occurred. Such areas shall be cleaned as necessary. Spilled de-icing agents must be placed back under the protective covering of the indoor storage pile. The storage pile must be reshaped as often as necessary to prevent leaching.
- 4) The integrity of the facility and loading pad must be maintained.
- 5) All areas surrounding the storage facility must be inspected daily to determine whether any release of de-icing agents has occurred. Spilled de-icing agents must be placed back into the storage facility.

- b) Outdoor facilities or units must comply with the following standards beginning two years after the date of first applicability:

- 1) An impermeable membrane or cover must be placed over all storage piles to protect the piles from precipitation and surface water run-on. The membrane or cover must prevent run-off and leachate from being generated by the outdoor storage piles. The piles must be formed in a conical shape, covered and stored on a paved pad capable of preventing leachate from entering adjacent soil, surface water, or groundwater.
- 2) Surface drainage must be directed to prevent flow through the base of the storage piles. De-icing agents must not be stored where drainage may enter into water supplies, farm lands or streams.
- 3) All areas surrounding the storage piles must be cleaned and must be inspected daily to determine whether any release of de-icing agents has occurred. Spilled de-icing agents must be placed

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back under the protective covering of the outdoor storage piles. The storage piles must be reshaped as often as necessary to prevent leaching.

- 4) The storage piles must be designed and operated to control wind dispersal of the product by means other than wetting.

## Section 615.724 Closure

- a) At closure, all de-icing agents must be removed from the site, discharge control equipment and discharge confinement structures.
- b) All de-icing agents that are to be disposed in the State of Illinois must be disposed at a disposal site permitted by the Agency under the Act.

## ILLINOIS RACING BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Race Track Improvement Fund and Related Rules
- 2) Code Citation: 11 Ill. Adm. Code 404
- 3) Section Numbers  
404.35  
Proposed Action  
New Section
- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 8, par. 37-9(b).
- 5) A complete description of the subjects and issues involved: This rulemaking will provide for a Board approved affidavit for project approval if the cost of a Race Track Improvement Fund project is under \$10,000.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Do these proposed amendments contain incorporation by reference? No.
- 9) Are there any other proposed amendments pending in this Part? No.
- 10) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

All comments should be submitted in writing to:

Illinois Racing Board  
Legal Department  
100 West Randolph, Ste. 11-100  
Chicago, Illinois 60601

The Illinois Racing Board will consider all written comments it receives within 30 days of the publication of this notice in the Illinois Register.

## NOTICE OF PROPOSED AMENDMENTS

## 12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: July 1, 1991
- B) Types of small business affected: None.
- C) Reporting, bookkeeping or other procedures required for compliance: An application is required to be completed by the organization requesting approval.
- D) Types of professional skills necessary for compliance: None.

The full text of the proposed amendment begins on the next page:

## NOTICE OF PROPOSED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY  
SUBTITLE B: HORSE RACING

## CHAPTER I: ILLINOIS RACING BOARD

## SUBCHAPTER b: RULES APPLICABLE TO ORGANIZATION LICENSEES

## PART 404

## RACE TRACK IMPROVEMENT FUND AND RELATED RULES

Section	
404.10	Definitions
404.20	Contents of Application
404.30	Application for Project Approval
404.35	Affidavit for Projects Under \$10,000
404.40	Licensed Architect or Engineer
404.50	Payments
404.60	Contents of Request
404.70	Periodic Payments
404.80	Ordinary Repairs and Maintenance
404.90	Amortization of Debt
404.100	Separate Approval
404.110	Disclosure
404.200	Demolition, Construction, Alteration or Addition to Race Track

AUTHORITY: Implementing Sections 9(6) and 32 (e) and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1989, ch. 8, pars. 37-9(b) and 37-32(e)).

SOURCE: Adopted at 4 Ill. Reg. 29, p.284, effective July 10, 1980; codified at 5 Ill. Reg. 10884; 13 Ill. Reg. 7440, effective April 21, 1989; amended at 15 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

Section 404.35 Affidavit for Projects Under \$10,000

If a project is complete, in and of itself, and is not part of a larger project and the total cost is under \$10,000, the completion of a Board approved affidavit waives the requirement of an applicant to submit three competitive bids. The affidavit shall be submitted with an application for project approval. Compliance with all other rules and regulations of this Part is required for said project before the Board will consider the application.

(SOURCE: Added at 15 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



## DEPARTMENT ON AGING

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Community Care Program
- 2) Code Citation: 89 Ill. Adm. Code 240
- 3) Section Numbers: Adopted Action:  
240.1665 Amendment
- 4) Statutory Authority: Ill. Rev. Stat., Ch. 23 Sections 6104.01(4), (9), (11) and (12); 6104.02; 6104.03; and 6105.02
- 5) Effective Date of Amendment(s): July 1, 1991
- 6) Does this rulemaking contain an automatic repeal date? Yes X No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: June 25, 1991
- 9) Notice of Proposal Published in Illinois Register:  
November 26, 1990, 14 Ill. Reg. 18635  
(issue date)

- 10) Has JCAR issued a Statement of Objections to this (these) amendment(s)? No

- 11) Difference(s) between proposal and final version:

In the Notice of Proposed Amendments, the Department proposed to amend thirteen (13) sections to Part 240: 240.1600, 240.1605, 240.1610, 240.1620, 240.1625, 240.1630, 240.1635, 240.1640, 240.1645, 240.1650, 240.1655, 240.1660 and 240.2020. ALL OF THESE PROPOSED AMENDED SECTIONS HAVE BEEN DELETED FROM THIS RULEMAKING.

Amendments are being adopted to Section 240.1665. The following changes have been made to the proposed amendment.

Section 240.1665: all of the proposed amendments to this Section have been withdrawn and provisions of the current Emergency Amendments to Section 240.1665 (15 Ill. Reg. 2338, effective February 1, 1991) are being adopted with the following changes:

Subsection b):

the first sentence is deleted; in the second sentence, "Administrative" is deleted.

Subsection c) 1):

"or" is changed to "and/or".

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- Subsection c) 2):  
"or" is changed to "and/or".
- Subsection c) 3):  
"or" is changed to "and/or".
- Subsection e):  
"Objections" is changed to "Appeals".
- Subsection f) 1):  
in the first sentence, "Administrative" is deleted.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? YES
- 13) Will this amendment replace an emergency amendment currently in effect? YES
- 14) Are there any other proposed amendments pending on this Part? NO

- 15) Summary and Purpose of Amendment(s):

Section 240.1665, which delineates the Administrative Review Appeal Process, is amended to reflect the provisions of the Emergency Amendments currently in effect which streamlines the Administrative Review Appeal Process so that it will take less time to complete a single review appeal process and allow the Department to adhere to current mandated timeframes.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Name: Mary J. Mayes  
Acting Policy and Rules Analyst  
Illinois Department on Aging  
421 East Capitol Avenue  
Springfield, IL 62701  
(217) 785-3357

Address:  
Telephone:

The full text of the Adopted Amendment(s) begins on the next page:

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## NOTICE OF ADOPTED AMENDMENTS

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TITLE 89: SOCIAL SERVICES  
CHAPTER II: DEPARTMENT ON AGINGPART 240  
COMMUNITY CARE PROGRAM

## SUBPART A: GENERAL PROGRAM PROVISIONS

Section  
240.100 Community Care Program  
240.110 Department Prerogative  
240.120 Services Provided  
240.130 Maintenance of Effort  
240.140 Program Limitations  
240.150 Completed Applications Prior to August 1, 1982 (Repealed)  
240.160 Definitions

240.420 Group Appeals  
240.425 Informal Review  
240.430 Notice of Findings  
240.435 Withdrawing an Appeal  
240.440 Examining Department Records  
240.445 Hearing Officer  
240.450 The Hearing  
240.455 Continuance of the Hearing  
240.460 Postponement  
240.465 Dismissal Due to Non-Appeal  
240.470 Rescheduling the Appeal Hearing  
240.475 Recommendations of Hearing Officer  
240.480 The Appeal Decision  
240.485 Reviewing the Official Report of the Hearing

## SUBPART B: SERVICE DEFINITIONS

Section  
240.210 Homemaker Service  
240.220 Chore-Housekeeping Service  
240.230 Adult Day Care Service  
240.240 Information and Referral  
240.250 Demonstration/Research Projects  
240.260 Case Management Service  
240.270 Alternative Provider  
240.280 Individual Chore-Housekeeping Provider

Section  
240.510 Application for Community Care Program  
240.520 Who May Make Application  
240.530 Date of Application  
240.540 Statement to be Included on Application

## SUBPART C: RIGHTS AND RESPONSIBILITIES

Section  
240.300 Applicant/Client Rights and Responsibilities  
240.310 Right to Apply  
240.320 Nondiscrimination  
240.330 Freedom of Choice  
240.340 Confidentiality/Safeguarding of Case Information  
240.350 Applicant/Client/Authorized Representative Cooperation  
240.360 Reporting Changes  
240.370 Voluntary Repayment

## SUBPART D: APPEALS

Section  
240.400 Appeals and Fair Hearings  
240.405 Representation  
240.410 When the Appeal May Be Filed  
240.415 What May Be Appealed

## SUBPART E: APPLICATION

## SUBPART F: ELIGIBILITY

Section  
240.600 Eligibility Requirements  
240.610 Establishing Eligibility  
240.620 Home Visit  
240.630 Determination of Eligibility  
240.640 Eligibility Decision  
240.650 Continuous Eligibility  
240.655 Frequency of Redeterminations  
240.660 Extension of Time Limit

## SUBPART G: NON-FINANCIAL REQUIREMENTS

Section  
240.710 Age  
240.715 Determination of Need  
240.720 Clients Prior to Effective Date of This Section  
240.725 Clients After Effective Date of This Section  
240.730 Plan of Care  
240.735 Supplemental Information  
240.740 Assessment of Need  
240.750 Citizenship  
240.755 Residence

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## Furnishing of Social Security Number

## SUBPART H: FINANCIAL REQUIREMENTS

Section	240.760
Financial Factors	
Assets	
240.800	
240.810	
240.815	
240.820	
240.825	
240.830	
240.835	
240.840	
240.845	
240.850	
240.855	
240.860	
240.865	
240.870	
240.875	

## SUBPART I: DISPOSITION OF DETERMINATION

Section	240.905
Prohibition of Institutionalized Individuals From	
Receiving Community Care Program Services	
Written Notification	
Service Provision	
Reasons for Denial	
240.910	
240.915	
240.920	
240.925	
240.930	
240.935	
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## SUBPART J: SPECIAL SERVICES

Section	240.1010
Nursing Home Prescreening	
Interim Services	
Intense Service Provision	
240.1020	
240.1040	
240.1050	

## SUBPART K: TRANSFERS

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Section	240.1110
Individual Transfer Request - Vendor to Vendor - No	
Change in Service	
240.1120	
Individual Transfer Request - Vendor to Vendor - With	
Change in Service	
240.1130	
Individual Transfers - Case Coordination Unit to Case	
Coordination Unit	
240.1140	
Transfer of Pending Applications	
240.1150	
Interagency Transfers	
240.1160	
Temporary Transfers - Case Coordination Unit to Case	
Coordination Unit	
240.1170	
Caseload Transfer - Vendor to Vendor	
240.1180	
Caseload Transfer - Case Coordination Unit to Case	
Coordination Unit	

## SUBPART L: ADMINISTRATIVE SERVICE CONTRACT

Section	240.1210
Administrative Service Contract	

## SUBPART M: CASE COORDINATION UNITS AND VENDORS

Section	240.1310
Standard Contractual Requirements for Case Coordination	
Units and Vendors	
240.1320	
Vendor or Case Coordination Unit Fraud/Illegal or	
Criminal Acts	
240.1330	
General Vendor and CCU Responsibilities (Repealed)	
240.1396	
Payment for Services (Repealed)	
240.1397	
Purchases and Contracts (Repealed)	
240.1398	
Safeguarding Case Information (Repealed)	
240.1399	
Suspension/Termination of a Vendor or Case Coordination	
Unit (CCU)	

## SUBPART N: CASE COORDINATION UNITS

Section	240.1410
Case Coordination Units	
240.1420	
Case Coordination Unit Responsibilities	

## SUBPART O: VENDORS

Section	240.1510
Vendor Administrative Minimum Standards	
240.1520	
Vendor Responsibilities	
240.1530	
General Homemaker Staffing Requirements	
240.1535	
Homemaker Staff Positions, Qualifications and	
Responsibilities	



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240.1540 General Chore-Housekeeping Staffing Requirements  
 240.1545 Chore-Housekeeping Staff Positions, Qualifications and Responsibilities  
 240.1550 Standard Requirements for Adult Day Care Vendors  
 240.1555 General Adult Day Care Staffing Requirements  
 240.1560 Adult Day Care Staff Positions, Qualifications and Responsibilities  
 240.1565 Adult Day Care Satellite Sites  
 240.1570 Adult Day Care Service Availability Expansion  
 240.1575 Adult Day Care Site Relocation  
 240.1580 Standards for Alternative Providers  
 240.1590 Standard Requirements for Individual Chore-Housekeeping Provider Services

## SUBPART P: VENDOR PROCUREMENT

Section  
 240.1600 Vendor Procurement  
 240.1605 Procuring Vendor Services  
 240.1610 Procurement Cycle  
 240.1620 Issuance of Vendor Request for Proposal  
 240.1625 Content of Vendor Request for Proposal  
 240.1630 Criteria for Number of Chore-Housekeeping and Homemaker Vendor Contracts Awarded  
 240.1635 Evaluation of Vendor Proposals  
 240.1640 Notification of Vendor Awards  
 240.1645 Protest or Objection to Vendor Request for Proposal Award Determination  
 240.1650 Failure to Maintain Vendor Compliance to Contract  
 240.1655 Method of Identification of Type I, II and III Vendor Violations  
 240.1660 Vendor Compliance During Contract Period  
 240.1665 Vendor Sanctions Contract Actions for Failure to Comply with Community Care Program Contract Requirements

## SUBPART R: ADVISORY COMMITTEES

Section  
 240.1800 Policy Advisory Committee  
 240.1850 Technical Rate Review Advisory Committee

## SUBPART S: VENDOR RATES

Section  
 240.1910 Establishment of Fixed Unit Rates  
 240.1920 Contract Specific Variations  
 240.1930 Fixed Unit Rates of Reimbursement for Chore-Housekeeping and Homemaker Services

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240.1940 Fixed Unit Rates of Reimbursement for Adult Day Care Service and Transportation  
 240.1950 Adult Day Care Fixed Unit Reimbursement Rates

## SUBPART T: FINANCIAL REPORTING

Section  
 240.2020 Financial Reporting of Chore-Housekeeping and Homemaker Services  
 240.2030 Unallowable Costs for Chore-Housekeeping and Homemaker Services  
 240.2040 Minimum Direct Service Worker Costs for Chore-Housekeeping and Homemaker Services  
 240.2050 Cost Categories for Chore-Housekeeping and Homemaker Services

AUTHORITY: Implementing Section 4.02 and authorized by Section 4.01(1) of the Illinois Act on the Aging (Ill. Rev. Stat. 1987, ch. 23, pars. 6104.02 and 6104.01(1)).

SOURCE: Emergency rules adopted at 4 Ill. Reg. 1, p. 67, effective December 20, 1979, for a maximum of 150 days; adopted at 4 Ill. Reg. 17, p. 151, effective April 25, 1980; amended at 4 Ill. Reg. 43, p. 86, effective October 15, 1980; emergency amendments at 5 Ill. Reg. 1900, effective February 18, 1981, for a maximum of 150 days; amended at 5 Ill. Reg. 12090, effective October 26, 1981; emergency amendments at 6 Ill. Reg. 8455, effective July 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 14953, effective December 1, 1982; amended at 7 Ill. Reg. 8697, effective July 20, 1983; codified at 8 Ill. Reg. 2633; amended at 9 Ill. Reg. 1739, effective January 29, 1985; amended at 9 Ill. Reg. 10208, effective August 29, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 5076, effective March 15, 1986; recodified at 12 Ill. Reg. 7980; amended at 13 Ill. Reg. 11193, effective July 1, 1989; emergency amendments at 13 Ill. Reg. 13638, effective August 18, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 17327, effective November 1, 1989; amended at 14 Ill. Reg. 1233, effective January 12, 1990; amended at 14 Ill. Reg. 10732, effective July 1, 1990; emergency amendments at 15 Ill. Reg. 2838, effective February 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 10351, effective July 1, 1991.

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## SUBPART P: VENDOR PROCUREMENT

Section 240.1665 Vendor-Sanctions Contract Actions for Failure to Comply with Community Care Program Contract Requirements

- a) The Department shall impose sanctions contract actions upon any Community Care Program (CCP) contracted vendor who fails to comply with the Department rules/contract requirements (which includes the statements contained in the vendor's proposal).

b) When the Department identifies a vendor's Compliance Review (VCR) and/or Special Review report(s) containing non-compliance findings, the Department shall place that vendor "On Notice" to correct those findings take one or more of the following contract actions:

- 1) When the Department finds that a worker, supervisor, or other designated staff fail to meet program requirements as stated in Sections 240.1530 through 240.1560, these staff shall not serve Community Care Program applicants/clients until the non-compliance finding is corrected.

- 2) When the Department finds that a vendor has failed to adhere to the fiscal requirements specified in Part 240, the Department shall require a limited financial audit.

- 3) When the Department finds only Type III vendor service violation(s) (refer to Section 240.1654(c)), and a service history score equal to or better than 10 (i.e., 15 through 10), or any Type II vendor service violation(s) (refer to Section 240.1650(b)), alone or in combination with Type III violation(s), and a service history score equal to or better than 5 (i.e., 15 through 5), no contract action will be taken.

- 4) When the Department finds Type II vendor service violation(s), alone or in combination with Type III violation(s), and a service history score better than 5 (i.e., 10 through 35), or only Type III vendor service violation(s) and a service history score poorer than 10 (i.e., 15 through 35), the Department shall close intake for a period of time starting from thirty (30) to ninety (90) calendar

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days. The length of the suspension period shall be based on the nature and extent of the violations as defined below:

- A) 30-day suspension: Only Type I-I-I violation(s), and a service history score of 15, 20, or 25, or any Type II violation(s) alone or in combination with Type III violation(s) and a service history score of 10 or 15.

- B) 60-day suspension: Any Type II violation(s) alone or in combination with Type I-I-I violation(s) and a service history score of 20 or 25, or only Type III violation(s) with a service history score of 30 or 35.

- C) 90-day suspension: Any Type II violation(s) alone or in combination with Type I-I-I violation(s) and a service history score of 30 or 35.

- 5) When the Department finds, at the conclusion of the VCR and/or a Special Review, that there is a correctable Type I vendor service violation(s) (refer to Section 240.1650(a)) remaining or that a service history score of 40 exists, the reviewed contract shall be terminated from the Community Care Program.

- c) The length of time the vendor shall be allowed to correct those non-compliance findings shall depend upon the extent of the risk to the health and safety of the CCP clients as stated in Section 240.1650.

- ed) Vendors placed "On Notice" shall be advised by the Department of contract actions being taken as a result of non-compliance findings. The Department shall send a



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written announcement accompanied by the Administrative Compliance Review VCR Report to the vendor by certified mail, return receipt requested. The announcement and VCR report shall clearly state the nature of the non-compliance findings and the contract action(s) being taken (refer to subsection (c) below). A control date shall be established which shall be the next work day from the date of vendor receipt of the "On-Notice" announcement.

- c) Contract action to be taken shall be the following:
- 1) suspension of referrals for an estimated period of time; and/or
  - 2) transfer of client(s) or assign new worker to CCP client(s); and/or
  - 3) a limited financial compliance audit; and/or
  - 4) contract termination and transfer of all clients.
- d) The vendor shall be advised of the vendor's right to appeal the compliance findings and contract action. The appeal must be received by the Department on or before the tenth (10th) work day from the notification control date.
- e) Upon receipt of the "On-Notice" VCR report of non-compliance findings and the announcement of non-compliance the contract action, the vendor has the right to file a formal objection thereto with the Department. If an objection is filed, the vendor shall observe the following time frames:
- 1) Type I violation an the objection must be received by the Department on or before the fifth (5th) tenth (10th) work day from the control date of vendor's receipt of the VCR report.
  - 2) Type II and Type III violations an objection must be received by the Department on or before the tenth (10th) work day from the control date.
  - 2) An objection received after the tenth (10th) work day from the date of the vendor's receipt of the VCR report shall be disregarded.

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ef) Objections Appeals shall be addressed, delivered or mailed to:

Director  
Attention: General Counsel  
Illinois Department on Aging  
421 East Capitol Avenue  
Springfield, Illinois 62701.

- fg) The General Counsel, together with appropriate staff of the Department, shall review the objections appeals and findings by a paper work review of the objection data documentation submitted by the vendor. The paper work review of the objections shall result in an on-site visit by the Department when confirmation of objection data must be tested on-site. The review shall determine the validity of the objections appeals as follows:
- 1) If the non-compliance findings are determined to be invalid, the vendor's objection appeal shall be sustained and the findings shall be modified or expunged, in whole or in part, from the Administrative Compliance Review Report Compliance Review Report VCR and evidence thereof placed in the vendor's file. Service history scores and contract actions shall be adjusted, as appropriate.
  - 2) Non-compliance findings determined to be valid shall be upheld and an Exit Conference may be required within twenty-four (24) work days from the control date established.
  - 3) Results of the objection appeal review shall be presented to the Director for action, to include contract actions as specified in subsection (bc) above.
  - h) The Department shall provide on-site technical assistance to the vendor on or before the twentieth (20th) calendar day from the control date, if no objection is received. The Department shall make an on-site visit on or before the thirtieth (30th) calendar day from the control date, if an objection is received. The purpose of the on-site visit shall be to provide instruction to the vendor in bringing the findings into compliance.



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1) ~~If the vendor needs additional time to correct non-compliance at the time of the technical assistance on site visit, the Department may grant an extension of the "On Notice" period for type I or type III violations. Such extension shall only be granted in order to complete required physical improvements at an adult day care site. Department required extensions shall be granted in writing by the Department if an on site visit by the Department is conducted during the course of the On Notice period.~~

1) ~~If an extension is granted, the Department shall send the written extension by certified mail, return receipt requested.~~

2) ~~The announcement of the extension shall state the length of the extension from the original "On Notice" control date.~~

j) ~~On or before the twentieth (20th) work day from the expiration of the "On Notice" period or on or before the twentieth (20th) work day from the expiration of the extension, the Department shall conduct an unannounced on site Compliance Review Close Out Review.~~

1) ~~No more than one Compliance Review Close Out Review shall be conducted for the "On Notice" announcement.~~

2) ~~The Department shall issue a close out advisement letter accompanied by the Compliance Review Close Out Report to the vendor by certified mail, return receipt requested, indicating:~~

A) ~~the vendor has taken proper corrective action on both the original review sample of client/vendor files and the new review sample of client/vendor files, if available, the "On Notice" is removed, and the compliance score is reduced by one-half, or~~

B) ~~the vendor has taken proper corrective action on the original review sample of client/vendor files, but not on a new review sample of client/vendor files, and the compliance score remains at the original level, or~~

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c) ~~the vendor has not taken proper corrective action on the original review sample of client/vendor files, and the compliance score shall be increased by one and one-half.~~

3) ~~There may be variations of the above circumstances regarding availability of new review samples of client/ vendor files or other situations where proper compliance testing results in drawing additional sample(s) of client/vendor files in order to conduct a proper compliance testing.~~

k) ~~The vendor has the right to object to the findings in the Compliance Review Close Out Report which accompanies the close out advisement letter if such objection is received by the Department on or before the tenth (10th) work day from the newly established control date (i.e., next work day following receipt by vendor of the close out advisement letter).~~

1) ~~If the objection is not received by the above stated time period, the objection shall be denied.~~

2) ~~Objections shall be addressed, delivered or mailed to the Director as specified in subsection (f) above.~~

l) ~~If no objection is filed and the vendor remains out of compliance, the Director shall advise the vendor that contract action will be taken.~~

1) ~~Contract action notification shall be sent to the vendor by certified mail, return receipt requested.~~

2) ~~The contract action control date is the next work day from the date of vendor receipt of the contract action notification.~~

m) ~~If objection to the close out findings is received at the Department on or before the tenth (10th) work day, the General Counsel, together with appropriate staff of the Department, shall review the Compliance Review Close Out Report objections and findings by a paper work review of the objection data submitted by the vendor. The paper work review of the objection shall result in an on-site visit by the Department when confirmation of objection data must be tested on-site. The review shall determine the validity of the objection as follows:~~

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- 1) If findings are determined to be valid, they shall be upheld.
- 2) If findings are determined to be invalid, they shall be expunged from the Compliance Review Close Out Report and, if appropriate, from the Compliance Review (On Notice) Report, and evidence thereof placed in the vendor's file.
- g) The Director shall advise the vendor of the objection appeal decision. to either sustain vendor's objection or uphold the Department's close out findings. Notification shall be sent to the vendor by certified mail, return receipt requested, and will include any revisions to the report, compliance findings and the service history score and/or contract action.
- h) If the Department's close out findings are upheld, the Department shall, within five (5) work days from the date of the Director's decision, send a contract action notification to the vendor by certified mail, return receipt requested. The contract action control date is the next work day following vendor receipt of the contract action notification.
- i) Contract action to be taken shall be one of the following:
  - 1) suspension of referrals for an established period of time, or
  - 2) transfer of client(s) or assign new worker to CCP client(s), or
  - 3) a limited financial compliance audit, or
  - 4) contract termination and transfer of all clients.
- j) The vendor shall be advised of the vendor's right to appeal the contract action. The contract action appeal must be received by the Department on or before the tenth (10th) work date from the contract action notification control date, except for the contract action cited in subsection (p) (4) above. The appeal process applicable to subsection (p) (4) is specified in subsections (x) and (y) below.

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- r) Appeals shall be addressed, delivered or mailed to the Director as specified in subsection (f) above.
- s) The General Counsel, together with appropriate staff of the Department, shall review the contract action appeal and respond to the Director as follows:
  - 1) the contract action is determined to be valid and the contract action is upheld and will be implemented, or
  - 2) the contract action is determined to be rescinded, or
  - 3) the contract action is determined to be held in a period of stay, followed by Department confirmation of an on-site review/new review sample of client or vendor files/desk audit resulting in contract action being rescinded or terminated, or
  - 4) the contract action is determined to be valid and Department confirmation of an on-site review/desk audit resulting in modified/revised contract action.
- t) The General Counsel shall respond to the vendor appeal, setting forth the Director's decision to the appeal. If the contract action is upheld, the contract action shall be implemented.
- u) If no appeal is received by the deadline, the contract action shall be implemented.
- v) The contract action notification shall establish a set time frame for the contract action to be effective. The effective date cannot be prior to forty five (45) calendar days from the contract action notification control date.
- w) If the contract action resulted in the suspension of intake or the transfer of clients, upon expiration of that contract action, the Department will conduct an on-site review/desk audit to ensure that a vendor is in a compliance status.
- x) The Department will prepare a Contract Action Review Report and shall draw additional sample(s)



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~~of client/ vendor files in order to conduct a proper compliance testing.~~

~~2) Any contract action other than termination shall result in a Contract Action Review Report.~~

~~x) When a contract action results in a Department decision of termination, the Department will so advise the vendor, in writing, via certified mail, return receipt requested, included in the written notification will be the effective date of said termination and a Department request for a face-to-face conference or appeal, at a time to be established, to be conducted at Illinois Department on Aging, 421 West Capitol, Springfield, Illinois.~~

~~1) The vendor may bring appropriate representation and written appeal data to this face-to-face conference or appeal.~~

~~2) Appropriate Department staff will be in attendance at the conference or appeal.~~

~~y) The Director shall review the recommended contract action of termination and the Department's written report of the face-to-face conference or appeal and make a final written response to the face-to-face conference or appeal on or before five (5) calendar days from the date of the face-to-face conference or appeal.~~

(Source: Amended at 15 Ill. Reg. 10351, effective July 1, 1991.)

1) The Heading of the Part: Economic Dislocation and Worker Adjustment Assistance

2) Code Citation: 56 Ill. Adm. Code 2625

<u>Section Numbers:</u>	<u>Adopted Action:</u>
2625.25	New Section
2625.30	Amendment
2625.40	Amendment
2625.50	Amendment
2625.60	New Section
2625.70	New Section
2625.80	New Section

4) Statutory Authority: Implementing Section 46.41 of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 46.41) and Sections 4 and 301-317 of the Job Training Partnership Act (P.L. 97-300, effective October 13, 1982 (29 U.S.C. 1501), as amended by P.L. 97-404, effective December 31, 1982 (42 U.S.C. 602); P.L. 99-496, effective October 16, 1986 (29 U.S.C. 1501); P.L. 99-570, effective October 27, 1986 (21 U.S.C. 801); and P.L. 100-418, effective August 23, 1988 (20 U.S.C. 5001)) and authorized by Sections 46.40(b) and 46.42 of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, pars. 46.40(b) and 46.42).

5) Effective Date of Amendments: July 1, 1991

6) Does this rulemaking contain an automatic repeal date? No.

7) Do these amendments contain incorporations by reference? Yes.

8) Date Filed in Agency's Principal Office: June 26, 1991.

9) Notice of Proposal Published in Illinois Register: August 17, 1990 - 14 Ill. Reg. 13045.

10) Has JCAR issued a Statement of Objections to these amendments? No.

11) Differences between proposal and final version:  
Changed the Statutory Authority in number 4 of the Notice page to match the revised Authority in the text which reads: Implementing Section 46.41 of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 46.41) and Sections 4 and 301-317 of the Job Training Partnership Act (P.L. 97-300, effective October 13, 1982 (29 U.S.C. 1501), as amended by P.L. 97-404, effective December 31, 1982 (42 U.S.C. 602); P.L. 99-496, effective October 16, 1986 (29 U.S.C. 1501); P.L. 99-570, effective October 27, 1986 (21 U.S.C. 801); and P.L. 100-418, effective August 23, 1988 (20 U.S.C. 5001)) and



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authorized by Sections 46.40(b) and 46.42 of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, pars. 46.40(b) and 46.42).

In the Table of Contents and the text, changed the Section number of "Authorized Activities" from "2625.10" to "2625.25".

In the main source note and all Section source notes, changed "14 Ill." to "15 Ill.".

## Section 2625.25

In line 2 of subsection (a), inserted "Job Training Partnership Act" after "State's" and placed parentheses around "JTPA".

## Section 2625.30

In subsection (a), inserted "(U.S. DOL)" after U.S. Department of Labor". All references to the U.S. Department of Labor found throughout the rest of the rulemaking will be changed to read "U.S. DOL".

## Section 2625.40

In line 9 of subsection (a), deleted "to be" before "codified" and inserted "(April 1, 1990)" after "631.34".

## Section 2625.50

In line 8 of subsection (a), deleted "to be" and inserted "(April 1, 1990)" after "631.70(c)".

Replaced "Job Training Partnership Act", found in lines 15 and 16 of subsection (c), with "JTPA".

In the next to last sentence of subsection (c), deleted "to be" before "codified" and inserted "(April 1, 1990)" after "631".

In line 9 of subsection (c)(1), deleted "to be" before "codified" and inserted "(April 1, 1990)" after "631".

## Section 2625.60

Inserted the following language after the first sentence of subsection (a): "EDWAA funds are available in three categories from the U.S. DOL: State Allocated EDWAA Funds (IIIA), Governor's Reserve Funds (IIIG), or Secretary's Reserve Funds (IIIN). The performance standards specified in this Section apply only to State Allocated EDWAA Funds (IIIA)."

In line 7 of subsection (a), replaced "establishing" with "developing".

In lines 8 and 9 of subsection (a), deleted "Department of Labor's

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(U.S. DOL) current" and replaced it with "DOL's".

In line 13 of subsection (a), changed "199" to "1990" and "March 1989" to "November 1990".

In line 2 of subsection (b), replaced "worker adjustment" with "Title III".

In line 1 of subsection (c), changed "Governors are" to "The Governor is".

In line 2 of subsection (c), replaced "have" with "has".

In line 1 of subsection (d), replaced "governors are" with "the Governor is".

In line 2 of subsection (d), changed "governors are" to "the Governor is".

Capitalized "state" in lines 5 and 6 of subsection (d).

Changed "result" to "results" in line 7 of subsection (e).

Replaced the last sentence of subsection (e) with the following language: "The Governor has developed the following two performance standards, in accordance with subsections (a) through (d), which will be used to compute the performance of each substate area:".

In line 1 of subsection (f)(5), replaced "standard" with "standards (as specified in subsections (e)(1) and (2))".

In line 5 of subsection (f)(5), deleted "to be" and inserted "(April 1, 1990)" after "631.38".

In line 7 of subsection (f)(5), deleted "to".

In line 8 of subsection (f)(5), deleted "be".

In the last line of subsection (f)(5), inserted "(April 1, 1990)" after "631.35".

In the second line of subsection (g)(2)(A), changed "allocated" to "available".

## Section 2625.70

In line 1, deleted "the revised".

Added the following language to the end of the second sentence: "plus

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funds not expended from the year prior to the previous year".

In line 7, replaced "the state" with "Illinois".

In line 8, changed "the state's" to "Illinois".

In line 6 of subsection (a)(1), deleted "both".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.

13) Will these amendments replace an emergency amendment currently in effect? No.

14) Are there any amendments pending on this Part? Yes.

Section Number: 2625.55

Proposed Action: New Section

Illinois Register Citation: December 14, 1990  
14 Ill. Reg. 19495

15) **Summary and Purpose of Amendments:** This rulemaking serves to specify authorized activities (Section 2625.25, to describe a performance standards system (Section 2625.60), and to prescribe procedures for the reallocation of funds (Section 2625.70) for the "Economic Dislocation and Worker Adjustment Assistance" program under Title III of the Job Training Partnership Act, in accordance with the Economic Dislocation and Worker Adjustment Assistance (EDWAA) Act (P.L. 100-418, effective August 23, 1988). Sections 2625.30, 2625.40, and 2625.50 are being amended to fulfill agreements reached with the Joint Committee on Administrative Rules during the original EDWAA rulemaking. Additionally, in Sections 2625.40 and 2625.50 a few minor corrections have been made. New Section 2625.80 governs incorporations by reference.

16) Information and questions regarding these adopted amendments shall be directed to:

Mr. John D. Taylor, Deputy Director  
Department of Commerce and Community Affairs  
Bureau of Program Administration  
620 East Adams Street, 5th floor  
Springfield, Illinois 62701  
(217) 782-6136

The full text of the Adopted Amendments begins on the next page:

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TITLE 56: LABOR AND EMPLOYMENT  
CHAPTER III: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## PART 2625

## ECONOMIC DISLOCATION AND WORKER ADJUSTMENT ASSISTANCE

Section	Definitions
2625.20	Authorized Activities
2625.25	Allocation of Funds
2625.30	Title III Substate Area
2625.40	Designation of Substate Grantees
2625.50	Performance Standards System
2625.60	Reallocation of Funds
2625.70	Incorporation by Reference
2625.80	

**AUTHORITY:** Implementing Section 46.41 of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 46.41) and Sections 4 and 301-317 of the Job Training Partnership Act (P.L. 97-300, effective October 13, 1982 (29 U.S.C. 1501), as amended by P.L. 97-404, effective December 31, 1982 (42 U.S.C. 602); P.L. 99-496, effective October 16, 1986 (29 U.S.C. 1501); P.L. 99-570, effective August 27, 1986 (21 U.S.C. 801); and P.L. 100-418, effective August 23, 1988 (20 U.S.C. 5001)) and authorized by Sections 46.40(b) and 46.42 of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, pars. 46.40(b) and 46.42).

**SOURCE:** Emergency rules adopted at 13 Ill. Reg. 4019, effective March 13, 1989, for a maximum of 150 days; emergency expired August 10, 1989; adopted at 13 Ill. Reg. 13830, effective August 21, 1989; amended at 15 Ill. Reg. 10368, effective July 1, 1991.

## Section 2625.25 Authorized Activities

a) General Program Purpose - State and substate grantees will use the State's Job Training Partnership Act (JTFA) Title III funds to provide employment and training assistance to eligible dislocated workers enrolled in the program.

b) Allowable Activities - Such activities are specified in Section 314(a) of the Act and include:

- 1) the provision of rapid response assistance in accordance with Section 314(b) of the Act;
- 2) the delivery, coordination and integration of basic readjustment services and support services in accordance with Section 314(c) of the Act;

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- 3) the provision of retraining services in accordance with Section 314(d) of the Act;
- 4) the provision of needs-related payments in accordance with Section 314(e) of the Act; and
- 5) provisions for coordination with the unemployment compensation system in accordance with Section 314(f) of the Act.

(Source: Added at 15 Ill. Reg. 10368, effective July 1, 1991)

## Section 2625.30 Allocation of Funds

- a) Federal Allotment to States - The State receives Title III funds under the Act as allotted by the Secretary of the U.S. Department of Labor (U.S. DOL) in accordance with Section 302(b) of the Act.
- b) Federal Reserve Fund - The Department of Commerce and Community Affairs (Department) shall apply for funds reserved by the Secretary of the U.S. DOL Department of Labor under Section 302(a)(2) of the Act, in accordance with Title III instructions periodically issued by the Secretary of the U.S. DOL Department of Labor. Reserve funds shall be used to provide services, of the type described in Section 314 of the Act, to individuals who are affected by the circumstances described in Section 323 of the Act, and conduct activities as applicable under Section 324 of the Act.

- c) State Allocation to Substate Areas - The Governor shall allocate 60 percent of the State's Title III allotment to substate areas in accordance with Section 302(d) of the Act. The allocation formula shall utilize the information detailed in Section 302(d) of the Act. Each of the following shall be the basis for allocating 25 percent of the total allocation to each substate area: insured unemployment data, unemployment concentrations data, declining industries data and long-term unemployment data. The following shall be included in the allocation formula, but shall not be bases for the distribution of funds at this time: plant closing and mass layoff data, and farmer-rancher economic hardship data.

- 1) The following shall be the measures of the factors to be used in calculating the allocation of Title III funds to substate areas:

- A) Insured Unemployment Data - The relative number, for each substate area, of unemployment insurance

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claimants under the Unemployment Insurance (UI) system.

- B) Unemployment Concentrations Data - The relative number, in each substate area, of unemployed individuals residing in counties (or sub-county substate areas) with an unemployment rate higher than the statewide unemployment rate for the same time periods as used in federal allotments.

- C) Declining Industries Data - The relative number, in each substate area, of jobs lost within industries which have experienced declining employment.

- D) Long-Term Unemployment Data - The relative number, in each substate area, of unemployment insurance claimants who have received benefits for 15 or more weeks under the UI system.

- 2) No substate area shall be allocated an amount less than a minimum set by the Illinois Job Training Coordinating Council (IJTCC). The minimum for the first year is \$200,000. If the amounts allocated pursuant to the above formula are not sufficient to meet this level for each substate area, the amounts allocated to all other areas shall be ratably reduced so that each receives no less than the minimum.

- 3) As applicable, the Department shall utilize data for the same base period as the Secretary of the U.S. DOL Department of Labor pursuant to Section 162 of the Act, if all necessary data is available to the Department in a timely manner at the time of allocation.

- d) Reservations for State Activities and for Substate Grantees in Need - In accordance with Section 302(c) of the Act, the Governor shall reserve 40 percent of the amount allotted to the State under Section 302(a)(1) of the Act. These funds shall be used for the activities described in Section 302(c)(1)(A) through (E) of the Act.

(Source: Amended at 15 Ill. Reg. 10368, effective July 1, 1991)

## Section 2625.40 Title III Substate Area

- a) Designation of Substate Area -

- 1) The Department on behalf of the Governor may initiate an



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application process for Private Industry Councils and local chief elected officials to request designation as a substate area under the Act to take effect at the start of Program Year 1989. The process for designation and redesignation of substate areas shall conform with the requirements of Section 312(a) of the Act and 53 54 FR 41594 39144 (to-be codified at 20 CFR 631.34 (April 1, 1990)) (October 24, 1988; with no later amendments or editions September 22, 1989). Redesignation of substate areas shall not take place more frequently than once every two years and shall not be made later than four months before the beginning of a program year. In considering whether to initiate an application process for designation, the Department shall ensure that each Service Delivery Area (SDA) within the State is included within a substate area and that no SDA is divided among two or more substate areas; ensure the recommendations of the IJTCC are considered by forwarded to the Governor's office; consider the availability of administrative funds to support the existing SDA administrative structure; and, consider the capacity available in the substate areas to achieve or exceed performance standards. The IJTCC shall recommend to the Governor substate areas by preparing a map of the State identifying the geographical area to be included in each substate area. Pursuant to Section 4(c) of the Illinois Job Training Coordinating Council Act (Ill. Rev. Stat. 1988 1989 Supp., ch. 48, par. 2104), these recommendations shall be forwarded to the President of the Senate and Speaker of the House of Representatives, or their designees, for review and comment by the Illinois General Assembly. In addition to criteria which may be identified by the IJTCC, the IJTCC shall consider the following criteria prior to making recommendations to the Governor on designation and redesignation:

- 1)A) the availability of services throughout the State;
- 2)B) the capability to coordinate the delivery of services with other human service and economic development programs;
- 3)C) the geographic boundaries of labor market areas within the State;
- 4)D) the adequacy of estimated available funds to support the administrative expenses of proposed substate areas;

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5)E) the potential impact of designation and redesignation decisions on the ability to maintain existing effective local relationships established for the provision of employment and training services (e.g., agreements among local chief elected officials).

- 2) In addition to the entities identified in Section 312(a)(4) of the Act, the Governor may, without regard to the 200-088 population requirement, designate SDAs with smaller population as substate areas. The Governor may deny a request for substate area designation from a consortium of two or more substate areas that meets the requirements of Section 312(a)(5) of the Act only upon a determination that the request is not consistent with the effective delivery of services to eligible dislocated workers in the relevant labor market area, or would otherwise be inappropriate, in denying a consortium's request for substate area designation; the Governor shall set forth the basis and rationale for the denial (Section 312(a)(5) of the Act). Entities described in 53 FR 41594 (to be codified at 20 CFR 631.34(e)(1)) may appeal the Governor's denial according to procedures described in 53 FR 41594 (to be codified at 20 CFR 631.34(g)).

- b) Petition for Redesignation - Pursuant to Section 312(a)(6) of the Act, the Department shall initiate an application process for redesignation as described in subsection (a), if a petition is filed with the Department by an entity specified in Section 312(a)(4) of the Act. Petitions shall be accepted only if filed at least eighteen months before the start of the program year for which the redesignation is proposed. Petitions for redesignation shall include a Consortium Membership Agreement for petitioners pursuant to Section 312(a)(4)(B) of the Act.

(Source: Amended at 15 Ill. Reg. 10368, effective July 1, 1991)

## Section 2625.50 Designation of Substate Grantees

- a) Transition Provisions - Provisions of this subsection shall apply to the initial designation of the substate grantee to implement the provisions of the Economic Dislocation and Worker Adjustment Assistance Act. In each substate area designated by the Governor pursuant to Section 2625.40, a substate grantee shall be designated in accordance with Section 312(b) of the Act. Pursuant to the transition provisions specified at 53 54 FR 41594 39147-39148 (to be codified at 20 CFR 631.70(c) (April 1, 1990)) (October 24, 1988 September 22, 1989; with no later amendments or editions), the effective period of this designation shall end

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June 30, 1990. The chief elected officials (CEO) for each substate-area and the Private Industry Council (PIC) for each substate area shall recommend to the Governor an entity as substate grantee. In any case in which there are two or more units of general local government, the CEO of such units shall negotiate with the PIC in a manner consistent with the agreements established pursuant to Sections 102(d)(2) and 103(b) of the Act to arrive at a recommendation. In any case where the Governor concurs with the joint recommendation of the CEO and PIC, the Department shall forward a written agreement to the CEO and PIC for signatures to execute the agreement with the Governor. In any area where the CEO and the PIC cannot reach agreement, the CEO and PIC shall forward separate recommendations to the Governor. The Department shall distribute written instructions for the submittal of recommendations. In any case where the Governor is not in agreement with the CEO and PIC recommendation, or the CEO and PIC are not in agreement, the Department shall first attempt to negotiate a consensus recommendation. In the event a consensus recommendation cannot be reached, the Governor shall select the substate grantee. In attempting to negotiate a consensus recommendation or, in the absence of consensus, when designating the substate grantee, the Governor shall consider the following:

- 1) The degree to which the designation will contribute to the elimination of duplication of services;
  - 2) The degree to which the designation will foster coordination of services with other programs under the Act;
  - 3) The ability of the agency recommended to deliver services as evidenced by past experience in the administration of employment and training programs; and,
  - 4) The degree to which the proposed designation capitalizes on the expertise of the Regional Dislocated Worker Centers established under previous statute.
- b) Eligible Agencies - Entities defined pursuant to Section 312(c) of the Act are eligible to be designated as a substate grantee.
- c) Biennial Designation - Pursuant to the requirements of Section 312(b) of the Act, a substate grantee shall be designated on a biennial basis in accordance with an agreement among the Governor, the local chief elected official or officials of the substate area and the PIC. In any case in which there are two or more units of general local government, the CEO of such units shall negotiate with the PIC in a manner consistent with the

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agreements established pursuant to Sections 102(d)(2) and 103(b) of the Act. Designation of the substate grantee shall be consistent with coordinated service delivery, cost-effective service-provision, and adequate administrative safeguards. Such coordinated service delivery arrangements shall be consistent with the statement of goals and objectives prepared by the Governor pursuant to Section 121(a)(1) of the Act and established criteria for coordinating activities under the JTPA pursuant to Section 121(b)(1) of the Act. In addition, designation decisions shall take into consideration the ability of the designated agency to meet and exceed performance standards established pursuant to Section 106 of the Act. Designation decisions shall also take into account the ability of the designated agency to provide adequate administrative safeguards for the expenditure of federal funds. Such safeguards include but are not limited to procedures that meet generally accepted accounting principles that ensure compliance with the requirements of the Act, implementing federal regulations published September 22, 1989 (54 FR 39139-39148, codified at 20 CFR 631 (April 1, 1990)) and 56 Ill. Adm. Code 2630. Biennial designation of the substate grantee shall conform to the following procedures:

- 1) Performance Related - In any case where the substate grantee fails to meet performance standards promulgated by the Secretary pursuant to Section 106(c) of the Act or fails to provide adequate administrative safeguards consistent with good program management that meet generally accepted accounting principles and ensure compliance with the requirements of the Act, implementing federal regulations published September 22, 1989 (54 FR 39139-39148, codified at 20 CFR 631 (April 1, 1990)), and State rules (56 Ill. Adm. Code 2600, 2625, and 2630), the Department shall initiate negotiations for the designation of the substate grantee. In such cases, the Department shall forward written instructions to the CEO and PIC describing procedures for negotiations. The existing substate grantee shall not be redesignated unless the following procedures are followed:
  - A) The reasons for inadequate performance shall be documented and provided to the Department.
  - B) A corrective action plan shall be developed and submitted to the Department. The plan shall include, as appropriate, reorganization of the substate grantee to address the reasons for inadequate performance. The plan shall describe other proposed



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corrective action to address inadequate performance.

- C) The IJWCC shall review the documentation and proposed corrective action and make a recommendation to the Department regarding the designation.
- D) The Department shall determine that the corrective action plan has a reasonable expectation of correcting inadequate performance (i.e., corrective action to be implemented is directly related to the problem identified; corrective action is achievable within the timeframes specified; requested technical assistance can be provided within timeframe specified). If the corrective action plan is determined to be insufficient, the Department will provide recommendations to the grantee regarding corrective action or revisions to proposed corrective action to be incorporated into their plan.

- 2) Local Request for Designation - Either the CEO or the PIC may request the Department to initiate procedures for the designation of a substate grantee. In order to allow adequate time for negotiations and transition of participants, such a request shall be made in writing twelve (12) months in advance of the biennial cycle in which the proposed redesignation is to take effect. After a request is made, the Department shall issue written instructions to the CEO and PIC regarding the conduct of negotiations to arrive at an agreement pursuant to Section 312(b) of the Act.

- 3) Continuing Designation - Except as provided under subsections (c)(1) and (c)(2), existing agreements shall be automatically renewed at the beginning of each biennial cycle. Unless requested by a party to the agreement, no modification to the existing agreement shall be made, and the existing agreement shall remain in effect. Modifications to the agreement shall be in writing and signed by all parties.

- 4) Inability to Perform - If for any reason (e.g., insolvency) the existing substate grantee is unable to fulfill its responsibilities under the Act, the Governor shall immediately initiate redesignation procedures with the CEO and PIC.

(Source: Amended at 15 Ill. Reg. 10368, effective July 1, 1991)

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## Section 2625.60 Performance Standards System

- a) Establishment of Title III Performance Standards System - In accordance with the requirements of Section 106 of the Act and the revisions made to Title III by the Economic Dislocation and Worker Adjustment Assistance Act (EDWAA), the Department shall prescribe performance standards for the Title III dislocated worker program for Program Year (PY) 1990-1991 (July 1, 1990 - June 30, 1992). EDWAA funds are available in three categories from the U.S. DOL: State Allocated EDWAA Funds (IIIA), Governor's Reserve Funds (IIIG), or Secretary's Reserve Funds (IIIN). The performance standards specified in this Section apply only to State Allocated EDWAA Funds (IIIA). The Department, in developing Title III performance standards, used the U.S. DOL's directive on Title III performance standards requirements issued in the April 13, 1990 edition of the Federal Register (55 FR 14012-14018) and the "Guide for Setting JTPA Title II-A and Title III (EDWAA) Performance Standards for PY 1990", issued November 1990, by the U.S. DOL Office of Strategic Planning and Policy Development.
- b) U.S. DOL has issued a single performance standard, the entered employment rate, for the Title III program as well as an optional wage at placement goal.
- c) The Governor is required to set an entered employment rate standard for each substate grantee and has the option of setting an average wage at placement standard.
- d) Although the Governor is required to use the performance standards established by U.S. DOL, the Governor is permitted, within guidelines established by U.S. DOL, to adjust the national standards in setting performance expectations for the substate grantees. In light of this flexibility the State of Illinois has developed performance standards models using State of Illinois data.
- e) Performance standards are based on statistical planning models which use multiple regression techniques to predict expected performance of grantees for each measure. The models adjust for local economic conditions and the characteristics of the participants served by the grantee. The weighted values in the model have been based on prior performance under the JTPA. Application of the adjustment models results in a singular performance expectation (model adjusted value) for each of the performance measures. The Governor has developed the following two performance standards, in accordance with subsections (a) through (d), which will be used to compute the performance of



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each substate area:

- 1) Entered Employment Rate (EER) - Number of individuals who entered employment at termination (excluding those who were recalled or retained by the original employer after receipt of a layoff notice) as a percentage of total terminations (excluding those who were recalled or retained by the original employer after receipt of a layoff notice).
- 2) Average Wage at Placement (AWAP) - Average hourly wage for all persons who entered employment at the time of termination.

f) Title III Performance Standards Policy

- 1) Performance standards are to be applied to the following programs funded under Section 302 of the Act: All of Section 302(c)(1) State activities; Sections 302(c)(2) and 302(d) substate area activities.
- 2) Entered employment rate and average wage at placement will be implemented as Title III performance measures in PY'90.

- 3) Illinois adjustment models will be used for PY'90.

- 4) To qualify as having met performance standards, a substate grantee must meet or exceed both of the U.S. DOL performance measures.

- 5) If a substate grantee fails to meet performance standards (as specified in subsections (e)(1) and (2)) for two consecutive years, the Department on behalf of the Governor may institute procedures pursuant to the Governor's by-pass authority in accordance with federal regulations (54 FR 39145, codified at 20 CFR 631.38 (April 1, 1990)) or require redesignation of the substate grantee in accordance with federal regulations (54 FR 39144-39145, codified at 20 CFR 631.35 (April 1, 1990)), as appropriate.

g) Award of Incentive Grants

- 1) Incentive bonus awards will be based entirely on the two measures of performance (Entered Employment Rate and Average Wage at Placement).
- 2) To qualify to receive an incentive bonus award a substate grantee must first meet two requirements, these are as follows:

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- A) A substate grantee must have expended a minimum of 85% of the total Title IIIA funds available for the program year.
- B) A substate grantee must meet or exceed the local performance standard for both performance measures.
- 3) A qualifying substate grantee is then eligible for an incentive award if it exceeds either of the two performance measures based on the degree to which performance exceeded the standard. The incentive bonus funds will be divided equally into two portions with one portion associated with each measure. Each of the two shares is further divided into three levels. These levels are as follows:

<u>Degree to Which Performance Exceeded the Standard</u>	<u>Percentage of Incentive Grant Funds Available</u>
>0% - 9.99%	45%
10% - 19.99%	35%
20% and above	20%

- 4) The allocation of funds at each level will be based on the qualifying substate grantees' relative share of the EDWAA Title IIIA allocation formula applied against each level of available funds for each measure exceeded.

- 5) Unallocated incentive bonus funds will be carried over into the next year and distributed to qualifying substate grantees based on the above methodology.

- 6) The sum of the awarded amounts distributed under subsections (g)(3) and (5) above will equal the total incentive bonus award for the substate grantee.

(Source: Added at 15 Ill. Reg. 10368, effective July 1, 1991)

Section 2625.70 Reallotment of Funds

Section 303 of the Act contains provisions for the reallotment of excess carry-forward from states, as well as a requirement that states establish procedures to ensure the availability of funds for deobligation should a state have excess carry-forward. The reallotment of funds from states will be determined on the basis of an allowable carry-forward which equals 20% of the allotment for the previous program year plus funds not expended from the year prior to the previous year. The procedure for the reallocation of funds within Illinois will be contingent upon Illinois' status vis-a-vis the national reallotment process.

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## a) Procedures When the State Loses Funds Through U.S. DOL Reallotment

1) When Illinois loses funds due to reallotment by the U.S. DOL, the amount of the loss is proportioned according to the amount underspent by the SDAs as a group and by the Department. The determination of funds to be reallotted from the state is made on the basis of funds received by the state as a whole (i.e., funds received by substate areas and the Department). The statewide allowable carry-forward is 20% of the total statewide allotment, and the statewide excess carry-forward is the amount by which the combined carry-forward from both sources exceeds the allowable.

2) Following the determination of this statewide excess, excess carry-forward is calculated separately for the combined substate areas and for the Department, again on the basis of a 20% allowable carry-forward limit. If both have carry-forward in excess of their 20% allowable limit, then the excess carry-forward for each can simply be combined to provide for the state reallotment amount. If one is not in excess of the 20% allowable carry-forward limit, then the total state reallotment amount must be provided by the other.

3) In the event that the Department has carry-forward in excess of its allowable limit, the necessary amount of funds will be deobligated directly.

4) To determine excess carry-forward at the substate level, the following procedures will be adhered to:

A) An amount equal to 15% of the allocation for each SDA will be considered "allowable" carry-forward. Carry-forward above this amount will be considered "excess" carry-forward. The amount of "excess" carry-forward from each SDA will be aggregated. From this "pool" of funds will be deducted any substate share of state funds sent to the U.S. DOL as part of the national reallotment.

B) An SDA expending 85% or more of its total funds available will be eligible to receive funds redistributed from this "pool" of excess carry-forward funds, as adjusted by the results of the U.S. DOL reallotment process.

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C) Any funds remaining in this "pool" will then be reallotted to "eligible" SDAs, on the basis of a two-part formula modeled on the federal formula used to reallot funds among the states. In the first step, the relative allocation percentages are calculated for eligible substate areas. Based on these relative percentages, the amount to be reallotted is distributed. However, the amount reallotted to substate areas with unemployment rates at or below the statewide average are taken back and "re-pooled." The relative allocation percentages are then again used to distribute this amount to all "eligible" SDAs. In this manner, SDAs with higher than average unemployment rates are eligible to receive reallotted funds from both distributions, while those with a lower rate of unemployment receive funds only from the second distribution.

## b) Procedures When the State Gains, or Does Not Lose Funds Through U.S. DOL Reallotment

1) Again, a "pool" of excess substate area funds would be constructed, based upon a 15% of allowable carry-forward. In this case, however, the state as a whole would gain funds reallotted from other states or, of the amount received by the state in this manner, 60% would be added directly to the "pool" of substate area funds to be reallotted. This total amount would then be distributed according to the two-step method described above.

2) The remaining 40% of the funds received from the reallotment from other states would come to the Department and would be available for the same uses as the 40% state portion of the original allotment.

3) These reallotment and reallotment processes would be completed by October 1 of each year or the first working day after that date.

4) All funds received by substate areas in this manner would be subject to the same cost category limitations as the funds originally allocated during any program year.

(Source: Added at 15 Ill. Reg. 10368, effective July 1, 1991)

Section 2625.80 Incorporation by Reference

Any incorporation by reference in this Part of the rules and regulations of



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any agency of the United States or of standards of a nationally recognized organization or association includes no new amendments or editions after the date specified.

(Source: Added at 15 Ill. Reg. 10368, effective July 1, 1991)

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- 1) The Heading of the Part: Training Services for the Disadvantaged
- 2) Code Citation: 56 Ill. Adm. Code 2610
- 3) Section Numbers:  
2610.100 Adopted Action:  
2610.130 Amendment  
2610.150 New Section
- 4) Statutory Authority: Implementing Sections 46.41 and 46.49 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, pars. 46.41 and 46.49); Section 4 of the Illinois Job Training Coordinating Council Act (Ill. Rev. Stat. 1989, ch. 48, par. 2104), and the Job Training Partnership Act (P.L. 97-300, effective October 13, 1982 (29 U.S.C. 1501), as amended by P.L. 97-404, effective December 31, 1982 (42 U.S.C. 602); P.L. 99-496, effective October 16, 1986 (29 U.S.C. 1501); P.L. 99-570, effective October 27, 1986 (21 U.S.C. 801); and P.L. 100-418, effective August 23, 1988 (20 U.S.C. 5001)) and authorized by Sections 46.40(b) and 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, pars. 46.40(b) and 46.42).
- 5) Effective Date of Amendments: July 1, 1991
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Do these amendments contain incorporations by reference? Yes.
- 8) Date Filed in Agency's Principal Office: June 26, 1991.
- 9) Notice of Proposal Published in Illinois Register: August 17, 1990 - 14 Ill. Reg. 13074.
- 10) Has JCAR issued a Statement of Objections to these amendments? No.
- 11) Differences between proposal and final version:  
  
Deleted spaces between Section numbers and Appendix A and B in the Table of Contents.  
  
Revised the Table of Contents and Authority Note to include changes adopted as a result of another rulemaking. Those amendments were proposed after and adopted before this rulemaking.  
  
In the Main Source Note and all Section Source Notes, changed "14 Ill." to "15 Ill."

Section 2610.100

In line 10 of subsection (a), changed "USDOL" to "U.S. DOL". All



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references to the U.S. Department of Labor found throughout the rest of the rulemaking will be changed to read "U.S. DOL".

In line 10 of subsection (a), replaced "89" with "1990" and "March 1989" with "November 1990".

In line 1 of subsection (b)(7), placed quotation marks around "exceeding".

In line 4 of subsection (b)(9), inserted "(see subsections (b)(7)(A)-(C))" after "actual performance outcome".

In line 6 of subsection (b)(9), after "appropriate", inserted "(see subsection (b)(8))".

In the last line of subsection (b)(9), added "as described in subsections (b)(3) and (4) above" after "incentive bonus awards".

## Section 2610.130

In line 8 of subsection (d), inserted "(29 U.S.C. 1651 et seq.)" before "revised".

In line 9 of subsection (d), changed "required" to "requires".

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.

- 13) Will these amendments replace an emergency amendment currently in effect? No.

- 14) Are there any amendments pending on this Part? Yes.

## Section Numbers: Proposed Action: Illinois Register Citation:

2610.110 Amendment March 15, 1991

15 Ill. Reg. 3641

2610.120 Amendment

March 15, 1991

15 Ill. Reg. 3641

- 15) Summary and Purpose of Amendments: Section 2610.100 is being amended to specify performance standards for PY'90 and PY'91. The amendment to this Section also fulfills an agreement reached with the Joint Committee on Administrative Rules during a previous departmental rulemaking (13 Ill. Reg. 14875; September 22, 1989) to incorporate by reference the "Guide for Setting JTPA Title II-A and Title III (EDWAA) Performance Standards for PY'89" issued March 1989. In Section 2610.130 the participant follow-up data collection requirements have been updated. New Section 2610.150 governs incorporations by reference.

- 16) Information and questions regarding these adopted amendments shall be

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directed to:

Mr. John D. Taylor, Deputy Director  
Department of Commerce and Community Affairs  
Bureau of Program Administration  
620 East Adams Street, 5th floor  
Springfield, Illinois 62701  
(217) 782-6136

The full text of the Adopted Amendments begins on the next page:

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CHAPTER III: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

TITLE 56: LABOR AND EMPLOYMENT

PART 2610  
TRAINING SERVICES FOR THE DISADVANTAGED

- Section  
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2610.Appendix A  
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Illustration A  
Illustration B  
Illustration C  
Illustration D  
Illustration E
- Legislative Base  
Definitions  
Allocation of Funds  
Local Job Training Plan  
Plan Development and Approval  
Coordination Criteria  
Allowable Activities  
Eligibility Requirements  
Waivers of Limitation of Cost  
Performance Standards  
Grievance Procedure  
Non-discrimination  
Reports and Recordkeeping Requirements  
Administrative Requirements  
Incorporation by Reference  
Coordination Agreement  
Memorandums of Understanding  
Memorandum of Understanding Between the JTPA Service Delivery Area and the Department of Children and Family Services  
Memorandum of Understanding Between the JTPA Substate Grantee and the Area Agencies on Aging or Other Not-For-Profit Agency Administering Title V of the Older Americans Act  
Memorandum of Understanding Between the JTPA Title II and III and the Displaced Homemaker Program  
Memorandum of Understanding Between the JTPA Substate Grantee and the Illinois Department of Rehabilitation Services  
Memorandum of Understanding Between the JTPA Substate Grantee and the Illinois Department of Public Aid/Project Chance

AUTHORITY: Implement Sections 46.41 and 46.49 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, pars. 46.41 and 46.49); Section 4 of the Illinois Job Training Coordinating Council Act (Ill. Rev. Stat. 1989, ch. 48, par. 2104), and the Job Training Partnership Act (P.L. 97-300, effective October 13, 1982 (29 U.S.C. 1501), as amended by P.L. 97-404, effective December 31, 1982 (42 U.S.C. 602); P.L. 99-496, effective October 16, 1986 (29 U.S.C. 1501); P.L. 99-570, effective October 27, 1986 (21 U.S.C. 801); and P.L. 100-418, effective August 23, 1988 (20 U.S.C.

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5001)) and authorized by Sections 46.40(b) and 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, pars. 46.40(b) and 46.42).

SOURCE: Adopted at 8 Ill. Reg. 17819, effective September 14, 1984; amended at 9 Ill. Reg. 6119, effective April 19, 1985; amended at 9 Ill. Reg. 13072, effective August 12, 1985; amended at 10 Ill. Reg. 4816, effective March 11, 1986; emergency amendments at 10 Ill. Reg. 12780, effective July 10, 1986, for a maximum of 150 days; amended at 11 Ill. Reg. 2738, effective January 26, 1987; amended at 11 Ill. Reg. 11954, effective July 7, 1987; amended at 12 Ill. Reg. 4128, effective February 8, 1988; amended at 13 Ill. Reg. 14875, effective September 6, 1989; amended at 14 Ill. Reg. 1976, effective January 18, 1990; amended at 15 Ill. Reg. 16117, effective May 7, 1991; amended at 15 Ill. Reg. 10386, effective July 1, 1991.

Section 2610.100 Performance Standards

- a) Establishment of the Performance Standards System - In accordance with the requirements of Section 106 of the Act the Department shall prescribe performance standards for adult and youth training programs under Title IIA and dislocated worker programs under Title III of JTPA. The U.S. Department of Labor (U.S. DOL) issued current directives on performance standards requirements in the March-77-1988 April 13, 1990 edition of the Federal Register (5355 FR 725614012-14018) and the "Guide for Setting JTPA Title II-A and Title III (EDWAA) Performance Standards for PY 1990", issued November 1990, by the U.S. DOL Office of Strategic Planning and Policy Development. ~~Governors--are required--to--select--eight--of--the--twelve--HSB6B--performance standards--measures--to--evaluate--local--program--performance--for purposes--of--making--incentive--awards--and--sanctioning--SBA performance.~~ To measure and achieve national goals of long-term employability and economic self-sufficiency, U.S. DOL has issued six core performance standards for PY'90 and PY'91. Although governors are required to use the ~~twelve~~ six core performance measures imposed by U.S. DOL, governors are permitted, within guidelines established by U.S. DOL, to adjust national standards in setting the performance expectations for the SDAs. In light of this flexibility the State of Illinois has developed ~~alternative~~ performance standards models based on statewide and regional data. The performance standards are based on statistical planning models which use multiple regression techniques to predict expected performance of SDAs for each measure of performance. The models adjust for local economic conditions and the characteristics of the participants served by the SDA. The weighted values in the model have been based on prior performance of the JTPA. Application of the adjustment models result in a singular performance expectation (model adjusted value) for each of the performance measures. The ~~twelve~~

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Six core performance measures used for program evaluation reflect a combination of measures using the US90b model; State of Illinois model; and Region-V model. The twelve measures, and the model-type used, are as follows:

- 1) Adult
  - A) Entered-Employment-Rate-(AER)---Number-of-adults-who entered-employment-at-termination-as-a-percentage-of the-total-number-of-adults-who-terminated-(Illinois model);
  - B) Cost-per-Entered-Employment-(ACEE)---Total-title-II-A expenditures-for-adults-divided-by-the-total-number of-adults-who-entered-employment-(Region-V-model);
  - C) Average-Wage-at-Placement-(AWAP)---Average-hourly wage-for-all-adults-who-entered-employment-at-the time-of-termination-(Illinois-model);
  - D) Welfare-Entered-Employment-Rate-(WEER)---Number-of adult-welfare-recipients-who-entered-employment-at termination-as-a-percentage-of-the-total-number-of adult-welfare-recipients-who-terminated-(Illinois model);
- 2) Follow-up
  - A) Follow-up Employment Rate (AFER) - Total number of adult respondents who were employed (full-time or part-time) during the 13th full calendar week after termination, divided by the total number of adult respondents (i.e., terminees who completed follow-up interviews) (US90b-model);
  - B) Welfare - Follow-up - Employment - Rate - (WFER) - Total number-of-adult-welfare-respondents-who-were-employed (full-time-or-part-time)-during-the-13th-full calendar-week-after-termination;-divided-by-the-total number-of-adult-welfare-respondents-(i.e.-terminees who-completed-follow-up-interviews)-(US90b-model);
- B)C) Average Adult Weekly Earnings at Follow-up (AFEARN) - Total weekly earnings for all adult respondents employed during the 13th full calendar week after termination, divided by the total number of adult respondents employed at the time of follow-up (US90b model).

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- B) Average-Number-of-Weeks-Worked-in-Follow-up-Period (AFW)---Total-number-of-weeks-worked-(full-time-or part-time)-during-the-13-full-calendar-weeks-after termination-for-all-adult-respondents-who-worked;-divided-by-the-total-number-of-all-adult-respondents;- whether-or-not-they-worked-any-time-during-this 13-week-follow-up-period-(US90b-model);

## 2) Welfare

- A) Welfare Follow-up Employment Rate (WFER) - Total number of adult welfare respondents who were employed (full-time or part-time) during the 13th full calendar week after termination, divided by the total number of adult welfare respondents (i.e., terminees who completed follow-up interviews).
  - B) Welfare Weekly Earnings at Follow-up (WEARN) - Total weekly earnings for all welfare respondents employed during the 13th full calendar week after termination, divided by the total number of welfare respondents employed at the time of follow-up.
- 3) Youth
    - A) Entered Employment Rate (YEER) - Number of youth who entered employment at termination divided by as-a percentage--of the total number of youth who terminated excluding those potential dropouts who are reported as remained in school (did not also enter employment) and dropouts who are reported as returned to school (did not also enter employment) (Illinois model);
    - B) Employability Enhancement Rate (YEEN) - Number of youth who attained one of the employability enhancements at termination, whether or not they also obtained a job as-a-percentage-of divided by the total number of youth who terminated (US90b-model). Youth Employability Enhancements are:
      - i) Attained (two or more) PIC-Recognized Youth Employment Competencies;
      - ii) Entered-Non-Title-II-Training;
      - iii) Returned to Full-Time School;
      - iii) Remained in School;



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- iv) Completed Major Level of Education; and
- v) Completed Program Objectives (14-15-year-olds)  
Entered Non-Title III Training.
- e) Positive Termination Rate (YPRR) --- Number of youth who entered employment or attained one of the youth employability enhancements at termination as a percentage of the total number of youth who terminated (Illinois model);
- B) Cost-per-Positive Termination (YCPPT) --- Total Title IIIA expenditures for youth divided by the total number of youth who either entered employment or met one of the five employability enhancements (Region-V model);

AWAP  
ACPEE  
YEER  
YPRR  
YCPPT  
AFER  
YEER  
YEEN  
AFER

## b) Performance Standards Policy

- 1) For FY'90 the State of Illinois is adopting the six core performance standards as proposed by U.S. DOL.
- 2) State of Illinois models will be used for establishing the local performance standard; if available, Region-V models will be used for the cost measures; USD06 models will be used where state models or regional models are not as yet available.
- 3) To qualify as having met performance standards, an SDA must meet or exceed three of the four core adult follow-up measures and one of the two core youth measures.
- 4) SDAs which fail to meet performance standards for two consecutive years will be subject to reorganization as required by Section 106 of the Act.
- 5) Departure points for each measure will be based on the 25th percentile of Illinois performance with the exception of the two cost measures (ACPEE and YCPPT) and YEEN. The national departure points will be used for these measures. Tolerance limits will be set at the 95th percent confidence interval.
- 3) The Department has defined sanctioned and rewarded measures for FY'88 as follows:

Sanctioned Measures	Rewarded Measures
AEER	WEER
WEER	AWAP

- 6) The Department shall establish a range of performance above and below the performance expectation generated by the adjustment model. The upper and lower limits of this range shall be determined by adding the tolerance level adjustment (negative and positive percent respectively) to the model adjusted value.

7) Definitions of "meeting", "exceeding", or "failing" the local performance standard are as follows: To qualify as having met performance standards, an SDA must meet or exceed the local performance standard for any five of the eight sanctioned performance measures in order for an SDA to "meet" the local performance standard;

- A) Meet - The performance measure outcome associated with the standard must be falls within the tolerance level range band, as established when the tolerance range value is applied to the model adjusted performance standard. All noncost measure outcomes falling below the tolerance level lower band constitute a failure of the standard; while all noncost measure outcomes above the upper band of the tolerance level constitute an exceeding. The performance standard for the cost measures, the inverse applies.

- B) Exceed - The performance measure outcome is greater than the upper level of the tolerance range band as established when the tolerance range value is applied to the model adjusted performance standard.

- C) Failure - The performance measure outcome is less than the lower level of the tolerance range band as established when the tolerance range value is applied to the model adjusted performance standard.

- 8) The performance outcome as it relates to the U.S. DOL postprogram follow-up measures may be adjusted upward or downward depending on calculation of the nonresponse bias adjustment. The nonresponse bias adjustment is only required when the difference in follow-up response rates between those termines who were employed and those who

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- were not employed at termination exceeds five percentage points. The adjustment for nonresponse bias applies to each of the two samples required for Title IIA postprogram follow-up data collection: Adults and Adult Welfare. If the difference between the response rates is five percentage points or less the nonresponse bias adjustment will not be invoked.

9)6) The end of the year performance standard calculated for each SDA will be used to assess the performance outcome for that program year. The performance assessment will be based on the actual performance outcome (see subsections (b)(7)(A)-(C)), or in the case of the U.S. DOL follow-up measures, on the adjusted outcome (if appropriate) (see subsection (b)(8)). This performance assessment will form the basis for identification of SDAs requiring technical assistance/ corrective action and those SDAs qualifying for incentive bonus awards as described in subsections (b)(3) and(4) above.

10) A minimum model adjusted standard of 0.0% and a maximum model adjusted standard of 100.0% for all performance standards using percentage rate as an outcome is established. The Department shall calculate performance standards -- for -- each -- SDA -- based -- on -- actual -- terminee characteristics; average weeks of program participation and total economic data in accordance with the appropriate adjustment model. The Department shall compare each SDA's actual performance outcome with the performance standards derived from the model for each of the performance measures in accordance with the performance ranges specified in subsection(b) -- of -- this -- Section. The results of this comparison shall be used to determine which SDAs have met performance standards and which SDAs have failed to meet performance standards as specified in subsection(b) of this Section.

c) Award of Incentive Grants

1) The total amount of funds available will be determined by taking

A) 75% of the total 6% allotment for the current program year;

B) plus those 6% funds not allocated for incentive grants from the prior year;

C) plus the unused portion of the funds set aside for

technical assistance from the prior year;

D) plus any deobligated funds from the prior year.

2) To qualify to receive an incentive grant award, an SDA must first meet or exceed the standard for at least five of the eight sanctioned performance measures three of the four adult follow-up core measures and one of the two youth core measures as described in subsection (b) of this Section. A qualifying SDA is then eligible for an incentive award if it exceeds any one of the six core five-rewarded measures and will receive an additional award for each rewarded measure based on the degree to which performance exceeded the upper band of the tolerance level.

3) New PY'8890 incentive funds will be divided into two portions as follows:

A) One-third will be allocated among those qualifying SDAs qualifying to receive an incentive award as described in subsection (C)(2) above that exceeded one-or-more-of-the-five-rewarded-performance measures. The amount of this award will be based on each qualifying SDA's share of the Title IIA allocation formula (see Section 2610.30) relative to all qualifying SDAs who exceeded one-or-more-of-the-five-rewarded-measures.

B) Two-thirds will be allocated among qualifying SDAs that exceeded one or more rewarded measures based on the number of rewarded measures exceeded and the extent to which each performance exceeded the standard. This amount will be divided equally into five six shares with one share associated with each measure. Each of these five six shares is further divided into four levels. The allocation of funds at each level will be based on the qualifying SDA's relative share of the JTPA Title IIA allocation formula applied against each level of available funds for each measure exceeded. These levels are as follows:

Degree to which performance exceeded the standard	Percentage of incentive grant funds available
>0% - 9.99%	60%
10% - 14.99%	15%
15% - 19.99%	15%



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20% and above

10%

C) A Follow-Up Response Rate Adjustment Assessment will be implemented and applied to the incentive bonus earned for each of the four follow-up measures. The Response Rate Adjustment Assessment is designed to reward the SDAs with above minimum (70% and above) follow-up response rate performance while penalizing those SDAs with below minimum (less than 70%) follow-up response rate performance. A graduated penalty will be assessed on the incentive earned for each follow-up measure for those SDAs with response rates below 70%. The total dollar amount of the penalties will then be distributed (based on Title IIA allocation %) to those SDAs with response rates at 70% and above for all categories.

i.) The Response Rate Adjustment Assessment Table for Employed is as follows:

Employed At Termination Category	Assessment
Response Rate	0
70% and >	-5%
60% - 69.99%	-15%
50% - 59.99%	-25%
40% - 49.99%	-50%
< 40%	

ii.) The Response Rate Adjustment Assessment Table for Unemployed is as follows:

Unemployed At Termination Category	Assessment
Response Rate	0
70% and >	-5%
60% - 69.99%	-15%
50% - 59.99%	-25%
40% - 49.99%	-50%
< 40%	

D)(e) Unallocated incentive grant funds, unused technical assistance funds, and deobligated funds carried over from prior years will be awarded to qualifying SDAs based on the methodology described in subsection (c)(3)(A).

E)(b) The sum of the amounts determined to be awarded from the funds distributed under subsections (c)(3)(A), (B), and (C) will equal the total incentive grant for the SDA.

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(Source: Amended at 15 Ill. Reg. 10386, effective July 1, 1991.)

Section 2610.130 Reports and Recordkeeping Requirements

## a) Record Retention Requirements

1) All grantees shall adhere to the provisions contained in the Regulations of the Local Records Commission (44 Ill. Adm. Code 4000) and the Local Records Act (Ill. Rev. Stat. 1987 1989, ch. 116, par. 43.102 et seq.).

2) Additionally, the provisions of the 20 CFR 629.35 (1983) are applicable.

b) Management Information System - In accordance with the requirements of Section 165 of the Act, the Department shall develop and implement a statewide Management Information System (MIS).

1) All participant-serving grantees under the Act shall participate in the Department's management information system and provide to the Department and maintain in document files for each participant, information elements as specified in subsections (c) and (d) of this Section.

2) The statewide MIS shall be an automated system for the collection, processing and reporting of information on participants relating to eligibility determination, demographic characteristics, performance measures (pre- and post-program outcomes), employability, participation in activities and services under the Act, termination, and follow-up.

3) The system shall collect required expenditure reports as specified in subsection (e) of this Section.

4) The Department shall install telecommunications lines and remote data entry equipment where such is required to support collection of the information requirements as specified in this Part. The determination regarding need for equipment will be based primarily on the number of participants to be served.

5) Standardized instructions and data collection and data entry forms shall be issued by the Department, consistent with the information requirements as specified in this Part.

c) Participant Record Requirements - Participant record requirements



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shall be promulgated in order for the Department to comply with the following Sections of the Act: 108 (b)(3); 121 (c)(3); 123 (c)(1); 123 (c)(3); 124 (d); 141 (e); 141 (k); 165; 167 (a); 203; 204 (11); 205 (b)(1); 205 (c); 205 (d); 253; 302 (a); and 504. Each participant-serving grantee under the Act shall collect and retain file documentation for each participant as specified in this section. Each participant-serving grantee shall collect and maintain file documentation sufficient to verify the eligibility of individuals for participation in titles and programs under the Act. This type of documentation consists of the applicant record (i.e., application form, work history, family income statement, eligibility certification checklists), documents verifying elements of the applicant record which pertain to eligibility (for example, tax returns, check stubs, statements from government agencies indicating eligibility for public assistance), and verification of collateral contact (for example, records of SDA employee conversations with third parties). Grantees shall not be required to maintain a work history form for youth enrolled in programs authorized under Section 251 of the Act (29 U.S.C. 1631). The Department shall issue standardized forms and procedures for the collection and retention of each element of the participant record, including a technical assistance guide. Participant record requirements shall be consistent with the Management Information System requirements under subsection (b) of this Section. The specific elements of the participant record are as follows:

## 1) JTPA Application Information

## A) Identification Data

- i) Service Delivery Area/Dislocated Worker Center
- ii) Client ID
- iii) Application Date
- iv) Determination of Client Application Status
- v) Name
- vi) Address (Street, City, State, Zip Code and County)
- vii) Telephone Number

## B) Demographic/Descriptive Data

- i) Sex

- ii) Date of Birth
- iii) Age
- iv) Ethnic Group: White (Not-Hispanic); Black (Not-Hispanic); Hispanic; Asian/Pacific Islander; or American Indian/Alaskan Native
- v) Education Status: High School Dropout; Student (High School or Less); High School Graduate (or GED); or Post High School Education
- C) Eligibility Determination and Documentation Data
  - i) Single Head of Household with Dependent Children (Yes/No)
  - ii) Authorized to Work in U.S.: Not Authorized; U.S. Citizen; Registered Alien/Refugee
  - iii) Selective Service Registrant Compliance
  - iv) Barriers to Employment: Limited English Proficiency; Displaced Homemaker; Teenage Parent; Handicapped; Older Worker; Veteran; Offender; or Other (Specify)
  - v) Economically Disadvantaged (Yes/No): Meets Income Criteria; Welfare Recipient; Foster Child; Food Stamp Recipient; or Homeless
  - vi) Family Income
  - vii) Number in Family
  - viii) Enrolled Under 10% Criteria (Yes/No)
  - ix) Type of Welfare Received (Yes/No): AFDC; WIN Registrant; General Assistance; Refugee Assistance; or SSI (SSA Title XVI)
  - x) Highest School Grade Completed
  - xi) Part-time Student
  - xii) Educational Achievements: Student Meeting Attendance/Achievement Levels; Student Not Meeting Attendance/Achievement Levels; or High School Graduate with Educational Deficiencies

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xiii) Post High School Plans: Plan to Enter Full-Time Labor Market or Plan to Continue with Post Secondary Education

xiv) Employment Experience (Yes/No): Completed Equivalent of Pre-Employment Skills Training or Received Paid Employment No Greater than 250 Hours

xv) Client Determined Eligible for Program (Yes/No): Title IIA, Adult/Youth Training Program; Title IIA, Education for Employment; Title IIA, Entry Employment Experience; Title IIA, School to Work Transition; Title IIA, Limited Work Experience; Title IIA, Pre-Employment Skills/Training; Title IIA, Try-out Employment; Title IIB, Summer Youth Program; Title IBE, Section 123(82 Program); or Title IBO, Section 124 (Older Workers)

xvi) Termination/Laid Off from Employment: Terminated or Laid Off; Received Notice of Termination or Layoff; Terminated As a Result of Plant Closure; Receive Notification of Termination as a Result of Plant Closure; or None of Above

xvii) Termination or Notification Date

xviii) Primary Occupation Standard Occupational Classifications (SOC) Codes

xix) Total Months Employed in All Previous Primary Occupation(s)

xx) Months Since Last Employed in Last Previous Primary Occupation

xxi) Weeks Unemployed (Since Any Employment)

xxii) Documented Job Search Criteria Met (Yes/No)

xxiii) Weeks Unemployed (Out of Last 20 Weeks)

xiv) Client Eligibility for Title III, Dislocated Worker Training Assistance (Yes/No)

D) Programmatic Data

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i) Referral Sources

ii) Transfer from Other JTPA Title (Yes/No)

E) Performance Assessment Data

i) Labor Force Status: Unemployed; Employed; Not in Labor Force; Unemployed 15 or More Weeks of Prior 26 Weeks

ii) Unemployment Compensation Status: Eligible for Benefits; Receiving Benefits; or Exhausted Benefits

iii) Minimal Work History

iv) SOC Codes of Previous Occupations

v) Months Received AFDC (Last 30 Months)

F) Certification and Recertification Signature: Signature of Applicant; Signature of Parent or Guardian (If Applicable); Relationship to Applicant; Signature of Interviewer; and Dates

2) Supplemental/Optional Record

A) Supplemental Date

i) Referral to Other Agency (Yes/No)

ii) Name of Agency to Which Referral Was Made and Date of Referral

iii) Reading Grade Level, Test Date and Deficiency Rating (Yes/No)

iv) Mathematics Grade Level, Test Date and Deficiency Rating (Yes/No)

v) Youth Competency Skill Area Deficiencies: Pre-employment/Work Maturity; Basic Educational Skills; Job Specific Skills

B) Optional Data

i) Benefit Rating

ii) Need Rating

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- iii) Ward of State (Yes/No)
- iv) Migrant Worker (Yes/No)
- v) User Application Fields
- vi) User Target Population Fields
- C) Collateral Contacts (Optional)
  - i) Contact Name
  - ii) Contact Address (Street, City, State, Zip Code)
  - iii) Telephone Number
  - iv) Relationship to Client
- 3) Training/Services Record
  - A) Identification Data
    - i) Service Delivery Area/Dislocated Worker Center
    - ii) Client ID
    - iii) Application Date
    - iv) JTPA Title
    - v) Client Name
  - B) Training/Service Code
    - i) Training/Service Code
    - ii) Sequence Number
    - iii) Service Provider
    - iv) Grant Number
    - v) Sent to Other Provider (Yes/No)
    - vi) Planned Start Date
    - vii) Actual Start Date
    - viii) Planned End Date

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- ix) Actual End Date
- x) SOC Code
- xi) Classification of Industrial Program (CIP) Code
- xii) Try-Out Employment Site
- xiii) Hourly Wage
- xiv) Scheduled Hours
- xv) Cumulative Hours
- xvi) Cumulative Hours Override
- xvii) Successfully Completed (Yes/No)
- C) Signatures
  - i) Signature of Individual Completing Form
  - ii) Date
- 4) Termination Record
  - A) Identification Data
    - i) Service Delivery Area/Dislocated Worker Center
    - ii) Client ID
    - iii) Application Date
    - iv) JTPA Title
    - v) Client Name
  - B) Termination Data
    - i) Termination Date
    - ii) First Termination Reason: Entered Employment (i.e., Entered Unsubsidized Employment, Entered Registered Apprenticeship Program, Entered Armed Forces, Recalled, or Continued Unsubsidized Employment); Youth Employability Enhancement (i.e., Entered Non-Title II Training, Returned to Full Time School, Age



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14-15 Completed Program Objectives, Completed Major Level of Education, or Attained Youth Competencies); and Other (i.e., Continued as Full Time Student, Ineligible, Dropout, Transfer to Other Title/Subpart, or Other Reason).

iii) Second Termination Reason (Title IIA Youth Only): Youth Employability Enhancements (i.e., Entered Non-Title II Training, Returned to Full Time School, Age 14-15 Completed Program Objectives, Completed Major Level of Education, or Attained Youth Competencies).

iv) Youth Competency Attained (i.e., Pre-employment/Work Maturity Skills (Yes/No), Basic Education Skills (Yes/No), and Job Specific Skills (Yes/No)).

v) Principal Service Provider

vi) Principal Activity

vii) Hired at Try-out Employment Site: Yes; No; or Not Applicable

## C) Employment Information

i) Employment Start Date

ii) Training Related

iii) Job Title Description

iv) SOC Code

v) Hourly Wage

vi) Scheduled Weekly Hours

vii) Employer

viii) Street and City Address of Employer

ix) State and Zip Code of Employer

x) Telephone Number

xi) Standard Industrial Classification (SIC) Code

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xii) Contact

## D) Signatures

i) Signature of Individual Completing Form  
ii) Date

## 5) Provider Data

A) Identification Data

i) Service Delivery Area/Dislocated Worker Center Code

ii) Service Provider ID

iii) JTPA Title

B) Level 1 and 2 Provider Information

i) Name

ii) Street Address

iii) State and Zip Code

iv) County

v) Allowable Training Activities/Services

## C) Level 2 Provider Information

i) CIP Codes

ii) SOC Codes

d) Participant Follow-Up Data Collection Requirements - In accordance with the requirements of Sections 106 and 165 of the Act, and the Annual Status Report for Title IIA and Title III programs effective July 1, 1986, the Department shall develop and implement a participant follow-up data collection system. The Economic Dislocation and Worker Adjustment Assistance (EDWAA) Act (Title VI, Subtitle D, of the Omnibus Trade and Competitiveness Act of 1988 (29 U.S.C. 1651 et seq.) revised Title III of the Job Training Partnership Act (JTPA) but also requires that each program (SSA, Governor's Reserve, Secretary's National Reserve) be responsible for participant follow-up. The purpose of this system is to collect and report to the U.S. DOL selected

## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

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postprogram data which will be used by the Secretary of Labor to support performance standards. The purpose of this system is to collect and report to the U.S. Department of Labor selected postprogram data which will be used by the Secretary of Labor to support candidate measures for JTPA performance standards in Program Year 1988. In order to implement these measures, Title IIA and Title III grantees will be required to collect and report to the Department post-program data items for adult terminees and adult welfare terminees as specified in this Part. The major elements of this system are as follows:

- 1) Outcome Measures - The post-program data collection requirements are based on the following outcome measures which together describe the labor market experiences of program terminees for the 13 week period after program termination:

- A) The employment rate during the 13th full calendar week after program termination.
- B) The average gross weekly earnings of terminees employed during the 13th full calendar week after program termination.
- C) The average number of weeks employed during the 13 post-program weeks.

- D) The average hourly wage of those employed during the 13th full calendar week after program termination.

## 2) Post-Program Timing

- A) Post-program data collection shall commence for participants terminating on or after July 1, 1986 (July 1, 1989 for EDWAA terminees).
- B) Follow-up data shall be collected for the 13th full calendar week following termination from the program.
- C) Post-program data shall be collected for terminees whose 13th post-program week ends during the program year.
- D) Follow-up interviews of terminees shall commence during the first week of October 1986 (first week of October 1989 for EDWAA terminees).
- E) Data collection is limited to a four week period from the 14th to the 17th week following termination.

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Follow-up may occur during the 18th week only when the terminee is located before the end of the 17th week.

## 3) Interview Group Selection

- A) Title IIA grantees must collect follow-up data for two groups: adults and adult welfare recipients.
- B) Title III and EDWAA grantees must collect follow-up data for all Title III terminees.
- C) The size of each of the above groups to be interviewed shall be determined by the number of planned terminees from each group during the period for which post-program data will be collected.
- D) If the number of planned terminees in any of the interview groups is equal to or less than 137, each terminee from that group must be included in the data collection effort. If the number of planned terminees exceeds 137, data on a sample of terminees may be collected.
- E) If sampling is used as a basis for determining which terminees will be interviewed, the sample must be as large as the minimum sample sizes specified by the U.S. DOL Department of Labor Employment and Training Administration in federal regulations issued May 16, 1990 (55 FR 20342) its Follow-up Technical Assistance Guide for Post-program Data Collection Under the Job Training Partnership Act, Version 3.0, issued June 1986, with no later amendments or editions. Samples must be drawn independently for each interview group and must be random.

- F) The Department will select the sample for the Title III program and will contract with a third party for client interviews. If samples are used, an individual sample is required for each SSA, while statewide samples are required for statewide and national reserve reports.

## 4) Methods for Terminee Contact

- A) The follow-up data must be gathered by administering a questionnaire over the telephone or in person. Mail questionnaires may be used only in those cases where the terminee does not have a telephone or

## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

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cannot be reached by telephone.

- B) Contact must be made with the terminnee directly.
- 5) Interview Questions - A standard set of questions must be asked of all respondents as specified in the Exhibit found in U.S. DOL regulations (53 FR 7265).
- 6) Response Rate Requirements and Non-Response Bias Adjustment -

A) A 70 percent minimum response rate is required for each--of--the--following--groupsthose who entered employment at termination and those who did not enter employment at termination for each SSA, for statewide and national reserve, for:

- i) ~~Title-III-Adults-Employed-at-Termination~~
- ii) Title IIA Adults Unemployed-at-Termination,
- iii) Title IIA Adult Welfare Employed---at termination, and
- iv) ~~Title---IIA---Adult---Welfare---Unemployed---at termination~~
- v) Title III\_ Employed-at-Termination
- vi) ~~Title-III-Unemployed-at-Termination~~

B) Prior to reporting the results of follow-up data collection to the Department, ~~Title-III-A-and-Title-III~~ grantees must adjust for the effects of non-response bias when the difference between the response rates attained for each of the above groups exceeds five percent. The adjustment method used shall be the one provided by the U.S. DOL ~~Department--of--Labor~~ Employment and Training Administration in its Follow-Up Technical Assistance Guide for Postprogram Data Collection under the Job Training Partnership Act, Version 3.0, issued June, 1986;~~with-no-later amendments-or-editions.~~

7) Reporting - Data collected on clients with April 1, 1988 and later termination dates must be entered onto the JTPA II MIS. ~~Title-III-A-grantees-must-enter-the-postprogram follow-up-data-themselves;-but-the-Department-will-enter the-Title-III-data-collected.~~

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e) Eligibility Review and Verification System - In accordance with the requirements of Section 165 of the Act and 20 CFR 629.43, effective April 15, 1983, the State shall implement an Eligibility Determination and Verification System for use by all grantees enrolling individuals under Title IIA and IIB of the JTPA. The State shall prescribe detailed instructions and forms to be used by grantees for certification of eligibility. The Eligibility Determination and Verification System shall consist of the following procedures:

1) Determination of Eligibility - Each grantee shall determine the eligibility of an applicant for JTPA titles and programs into which the applicant is to be enrolled. Grantees shall also determine the eligibility of a participant for enrollment in new JTPA programs after initial enrollment (e.g., exemplary youth programs). Enrollment into JTPA titles and programs shall be supported by documentary evidence. All documentary evidence shall be provided prior to enrollment of an applicant into JTPA or placement of a participant into a new JTPA program. Documentary evidence is defined as written confirmation of the applicant's status at the time of application. Should documentary evidence not be available, grantees may use collateral contacts (i.e., verbal confirmations) with social service and other organizations to verify the status of applicant. Grantees are required to collect documentary evidence sufficient to support:

- A) the enrollment of an applicant into a Title under JTPA and,
  - B) the placement of a participant into a new JTPA program.
- 2) Documentation Requirement for U.S. Citizens and Resident Aliens - Grantees may accept self-attestation as a basis for establishing if an applicant is an U.S. citizen. The status of applicants who identify themselves as resident aliens shall be documented.
- 3) Documentation of Selective Service Compliance - Grantees shall accept self-attestation as a basis for establishing if an applicant is in compliance with Section 3 of the Military Selective Service Act (50 U.S.C. App. 4530 (1982)). Grantees may adopt additional procedures to document compliance with this requirement; however, services under the Act shall not be withheld due to refusal of an applicant to comply with such optional procedures.



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f) Financial Reporting Requirements - In accordance with the provisions of Section 164 of the Act and 20 CFR 629.35 (1983), each grantee under JTPA shall be required to submit expenditure reports to the Department as specified in this Part.

## g) Reporting Detail

1) Expenditures shall be reported for the following categories:

## A) Training

i) Employment and Training Services

ii) Academic

iii) Vocational

iv) Limited Work Experience

v) Try-Out Employment

vi) On the Job Training (OJT)

vii) Other Training

## B) Participant Support

i) Limited Work Experience

ii) Services and Materials: Child Care; Transportation; or Other Services and Materials

iii) Work Experience

iv) Needs-Based Payments

v) Other Participant Support

## vi) Employment Generating Activities (EGA)

## C) Administration

i) Salaries and Wages

ii) Staff Fringe Benefits

iii) Facility Cost

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iv) Staff Travel

v) Equipment

vi) Indirect Cost

vii) Other Direct Costs

viii) Employment Generating Activities (EGA)

ix) Private Industry Council (PIC Cost) (Cost not described elsewhere in administrative cost line items)

x) Other

2) Reporting Level - An expenditure report detailing expenditures for Training, Participant Support and Administration (including specified subcategories) as defined in Section 2610.130(f) of this Part shall be submitted separately for Titles IIA and IIB.

## 3) Grantee Subgrantee Reporting

A) Grantees shall maintain expenditure information on each of their subgrantees receiving Title II funds in sufficient detail to enable the grantee to produce an expenditure report for each of their subgrantees by the following expenditure categories:

i) Training;

ii) Participant Support;

iii) Administration (in cases where the service providers are expending administrative funds); and

iv) Total expenditures.

B) This information shall be produced and transmitted to the Department upon the request of the Department.

(Source: Amended at 15 Ill. Reg. 10386, effective July 1, 1991)

Section 2610.150 Incorporation by Reference

Any incorporation by reference in this Part of the rules and regulations of any agency of the United States or of standards of a nationally recognized

## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## NOTICE OF ADOPTED AMENDMENTS

organization or association includes no new amendments or editions after the date specified.

(Source: Added at 15 Ill. Reg. 10386, effective July 1, 1991.)

## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF ADOPTED REPEALER

1) Heading of the Part: Supplemental Federal Benefits

2) Code Citation: 56 Ill. Adm. Code 2875

3) Section Number:  
 2875.1 Adopted Action:  
 Repealed Section  
 2875.5 Repealed Section  
 2875.10 Repealed Section  
 2875.15 Repealed Section  
 2875.20 Repealed Section  
 2875.25 Repealed Section  
 2875.30 Repealed Section  
 2875.35 Repealed Section  
 2875.40 Repealed Section  
 2875.45 Repealed Section  
 2875.50 Repealed Section  
 2875.55 Repealed Section  
 2875.60 Repealed Section

4) Statutory Authority: Implementing and authorized by the Federal Supplemental Compensation Act of 1982 (P.L. 97-248) and Sections 1700 and 1701 of the Unemployment Insurance Act (Ill. Rev. Stat. 1989, ch. 48, par. 610 and 611).

5) Effective Date of the Amendment: June 27, 1991, 1991.

6) Does this rulemaking contain an automatic repeal date? No.

7) Does this Rule contain an incorporation by reference? No.

8) Date filed in Agency's Principal Office: June 27, 1991.

9) Notice of Proposal published in Illinois Register: March 29, 1991 at 15 Ill. Reg. 4555.

10) Has JCAR issued a Statement of Objection to these Rules? No.

11) Difference between proposal and final version: None.

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR?  
 Yes.

13) Will this replace an emergency rule currently in effect? No.

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NOTICE OF ADOPTED REPEALER

- 14) Are there any amendments pending on this Part? No.
- 15) Summary and purpose of the rules: This repealer of 2875 deletes Subpart A: General Provisions. This subpart was adopted in 1982 when the Federal Supplemental Compensation program was enacted by the United States Congress. However, benefits have not been payable under that program now for several years. Therefore, these rules no longer have any practical application.
- 16) Information and Questions regarding this Adopted Repealer may be addressed to:
- Stella Adams Cuthbert, Commissioner  
Illinois Department of Employment Security  
401 South State Street - 2 South  
Chicago, Illinois 60605  
312/793-4240

DEPARTMENT OF PROFESSIONAL REGULATION  
NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Real Estate License Act of 1983
- 2) Code Citation: 68 Ill. Adm. Code 1450
- 3) Section Numbers: Adopted Action:
- |          |                      |
|----------|----------------------|
| 1450.10  | Amendment            |
| 1450.11  | Renumbered Amendment |
| 1450.12  | Renumbered Amendment |
| 1450.15  | Amendment            |
| 1450.17  | Amendment            |
| 1450.18  | Amendment            |
| 1450.19  | New Section          |
| 1450.20  | Amendment            |
| 1450.25  | New Section          |
| 1450.30  | Amendment            |
| 1450.40  | Amendment            |
| 1450.50  | Amendment            |
| 1450.55  | New Section          |
| 1450.60  | Amendment            |
| 1450.70  | Amendment            |
| 1450.80  | Amendment            |
| 1450.90  | Amendment            |
| 1450.100 | Amendment            |
| 1450.140 | Amendment            |
| 1450.150 | Amendment            |
| 1450.170 | Amendment            |
| 1450.180 | Amendment            |
| 1450.185 | Amendment            |
| 1450.210 | Repealed             |
| 1450.215 | Amendment            |
| 1450.220 | Repealed             |
| 1450.230 | Renumbered           |
| 1450.240 | Amendment            |
| 1450.250 | Renumbered           |
| 1450.260 | Repealed             |
| 1450.270 | Repealed             |
| 1450.275 | New Section          |
| 1450.280 | Amendment            |
| 1450.290 | New Section          |
- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 111, par. 5801 et seq.
- 5) Effective Date of Amendments: July 1, 1991
- 6) Does this rulemaking contain an automatic repeal date? No



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- 7) Do these Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: June 25, 1991
- 9) Date Notice of Proposal Published in Illinois Register: December 14, 1991, at 14 Ill. Reg. 19515.
- 10) Has ICAR issued a Statement of Objections to these amendments? No
- 11) Difference(s) between proposal and final version:  
All references to the Illinois Register were changed from "14 Ill. Reg." to "15 Ill. Reg."
- In Section 1450.20(b), "branch office" was inserted before "manager's" in the fourth sentence.
- In Section 1450.40(c)(2), a new sentence has been added: "This subsection applies to an interpleader action only."
- In Section 1450.55(a), "However, if the first such contact is by telephone or in a similar manner, then oral disclosure should be made at that time and confirmed by written disclosure as required by this Section." has been moved from subsection (a)(1) to (a) as a second sentence.
- In Section 1450.70(a), the word "written" was inserted before "listing agreements" and the words "be written and" have been deleted.
- Substituted "Programs" for "Schools" in Section 1450.215 heading on first contents page to make it agree with a change in the text.
- In Section 1450.55(a)(3), "(i.e. electronic mail, telegram)" was added to define "other similar means." The Source Note at the end of that Section was changed to read "Added at 15 Ill. Reg."

In 1450.90(d), changed "his" to "the".

In Section 1450.280(a)(4)(D), "(for example: cost of retaking a course, current status of licensure, any disciplinary action taken by the Department, attendance requirements)" was added to define "such other matters". Also in this Section, inserted "relationships" after "landlord/tenant" in (c)(3)(C).

In Section 1450.290(c), the language was changed after "December," in line four to read: "shall at the recommendation of the Real Estate Administration and Disciplinary Board receive a written warning of noncompliance from the Department. Approval may be suspended, withdrawn or other disciplinary action taken in accordance with 68 Ill. Adm. Code 1110 if the school fails to maintain an average passing rate of at least 40% of all students who take the licensure examination for the first time over the next 6 month period."

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## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

Numerous changes in syntax also were made.

- 12) Have all the changes agreed upon by the Agency and ICAR been made as indicated in the agreement letter issued by ICAR? Yes, the changes agreed upon by the Agency and ICAR have been made.
- 13) Will these Amendments replace an Emergency Amendment currently in effect?  
No
- 14) Are there any Amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: This rulemaking implements the rewrite of the Real Estate License Act of 1983 pursuant to P.A. 86-925. Numerous technical, typographical and format changes, as well as renumbering of Sections, were made to improve the organization and clarity of these rules.
- New Sections describe what happens when a licensee's sponsorship by a broker is terminated, how a broker can set up a real estate branch office, the kinds of information an agent is required to disclose to prospective buyers and sellers of real estate, and circumstances under which the Department of Professional Regulation shall withdraw, suspend or place on probation the approval of a real estate school.
- 16) Information and questions regarding this amended part shall be directed to:

Department of Professional Regulation  
Attention: Jean Courtney  
320 West Washington, 3rd Floor  
Springfield, Illinois 62786  
217/785-0800

The full text of the Adopted Amendments begins on the next page.

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS  
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION  
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONSPART 1450  
REAL ESTATE LICENSE ACT OF 1983

## SUBPART A: GENERAL RULES

Section	Definitions
1450.10	Educational Requirement of Broker Applicant Licensed as an Illinois Real Estate Salesperson (Renumbered)
1450.11	Educational Requirements for a Baccalaureate Degree with a Minor in Coursework in Real Estate (Renumbered)
1450.12	Salesperson and Broker Examinations
1450.15	Applications for Salespersons and Brokers Licenses by Examination
1450.17	Sponsor Card
1450.18	Inoperative Salespersons and Brokers Licenses
1450.19	Managing Broker Responsibilities
1450.20	Branch Offices
1450.25	Corporations and Partnerships
1450.30	Special Accounts (Escrow Accounts)
1450.40	Disclosure
1450.50	Agency Disclosure Pursuant to Section 18.2 of the Act
1450.55	Employment Contracts
1450.60	Listing Agreements
1450.70	Written Agreements
1450.80	Advertising
1450.90	Discrimination
1450.100	Unworthiness or Incompetence to Act as a Broker or Salesperson
1450.110	Hearings
1450.120	Assumed Name
1450.140	Reciprocal Licensure
1450.150	Rental Finding Services
1450.170	Renewals
1450.180	Granting Variances
1450.185	Procedure to Contest An Automatic Termination
1450.190	Penalties for Criminal Acts
1450.195	Real Estate Recovery Fund
1450.200	

## SUBPART B: SCHOOL RULES

1450.210	Approval of Schools (Repealed)
1450.215	Home Study/Correspondence Programs Schools
1450.220	Definition of Class Hour and Credit Hour (Repealed)

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

1450.230	Educational Requirement of Broker Applicant Who is a Licensed Illinois Real Estate Salesperson (Renumbered)
1450.240	Class Attendance Requirements <del>Hour Requirements for The Real Estate Transactions Course</del>
1450.250	Requirements for Minor in Real Estate (Renumbered)
1450.260	Qualification of Applicants Under 21 Years of Age (Repealed)
1450.270	Educational Requirements for Reinstatement of License (Repealed)
1450.275	Recruitment at Test Center
1450.280	<del>Application for Approval of Schools</del>
1450.290	Withdrawal of Approval
APPENDIX A	Penalties for Criminal Acts (Repealed)

**AUTHORITY:** Subpart A implementing Section 9 of Real Estate License Act of 1983 (Ill. Rev. Stat. 1989, ch. 111, par. 5808) and authorized by Section 60(7) of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 60(7)); Subpart B implementing Sections 4(17) and 11 of the Real Estate License Act of 1983 (Ill. Rev. Stat. 1989, ch. 111, par. 5804 and 5811) and authorized by Section 60(7) of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 60(7)).

**SOURCE:** Rules and Regulations for the Administration of the Real Estate Brokers and Salesmen License Act (General Rules), effective December 4, 1974; Rules and Regulations for the Administration of the Real Estate Brokers and Salesmen License Act (School Rules), effective July 29, 1974; amended at 3 Ill. Reg. 885, effective February 2, 1979; amended at 4 Ill. Reg. 195, effective August 12, 1980; amended at 5 Ill. Reg. 5343, effective May 6, 1981; amended at 5 Ill. Reg. 8541, effective August 10, 1981; codified at 5 Ill. Reg. 11064; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982; for a maximum of 150 days; emergency amendment at 6 Ill. Reg. 2406, effective February 3, 1982, for a maximum of 140 days; amended at 6 Ill. Reg. 8221, effective July 1, 1982; amended at 9 Ill. Reg. 341, effective January 3, 1985; transferred from Chapter I, 68 Ill. Adm. Code 450 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1450 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988; at 12 Ill. Reg. 2977; amended at 12 Ill. Reg. 8036, effective April 26, 1988; amended at 15 Ill. Reg. 10416, effective July 1, 1991.

## SUBPART A: GENERAL RULES

## Section 1450.10 Definitions

As used in this Part:

"Act" shall mean the Real Estate License Act of 1983 (Ill. Rev. Stat. 1989 4985, ch. 111, par. 5801 et seq.).



## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

"Board" means the Real Estate Administration and Disciplinary Board of the Department of Professional Regulation.

"Class hour" means classroom attendance for a minimum of 50 minutes of lecture or its equivalent through correspondence in a program approved by the Department.

"Commissioner" means the Commissioner of Real Estate of the Department of Professional Regulation.

"Department" means the Department of Professional Regulation.

"Director" means the Director of the Department of Professional Regulation.

"Inactive broker" shall mean a broker who is a resident of Illinois who ceases to maintain a place of business but who desires to preserve his license during a period of time while not engaged as a broker or a salesperson and who pays the fee as described in Section 15 of the Act.

"Inactive salesperson" shall mean a salesperson who is a resident of Illinois who ceases his active engagement in Illinois as a salesperson but who desires to preserve his license and who pays the fee described in Section 15 of the Act.

"License" shall mean and be the same as "certificate of registration with the Department."

"Managing broker" shall mean a broker who has supervisory responsibilities for licensees in a branch office or single office real estate brokerage.

"Principal broker" shall mean a managing broker who has active control of a multi-office real estate brokerage.

"Semester hours" shall be converted into quarter hours at the ratio of 2 semester hours to 3 quarter hours.

"Sponsoring broker" shall mean a firm or individual broker (in the case of a sole proprietorship) who employs or contracts for services with the firm's sponsored licensees.

(Source: Amended at 15 Ill. Reg. 10416, effective July 1, 1991.)

## DEPARTMENT OF PROFESSIONAL REGULATION

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# Section 1450.11 Educational Requirements of Broker Applicant Licensed as an Illinois Real Estate Salesperson

a) An applicant for a broker license who is a licensed Illinois real estate salesperson is presumed to have completed the Real Estate Transactions Course, and shall be allowed thirty (30) class hours credit (two (2) credit hours) for any thirty (30) class hours actually earned in real estate courses prior to the publication of this Part. Having received thirty (30) class hours credit as a licensed real estate salesperson, an additional thirty (30) class hours credit cannot accrue by taking the Real Estate Transactions Course.

b) Credit toward the ninety (90) class hours of instruction in approved courses are required requirement for broker applicants. Credit shall be given for class hours successfully completed in the following manner:

- 1) Thirty (30) class hours credit for upon successful completion of the Real Estate Transactions Course.
- 2) 15 class hours credit for the Advanced Real Estate Principles. No more than fifteen (15) class hours credit upon successful completion of any of the approved courses listed under subsection (c), below.
- 3) 15 class hours credit for Contracts and Conveyancing. The Advanced Real Estate Principles Course and the Contracts and Conveyancing Course listed under subsection (c), below, shall be mandatory courses.
- 4) Credit for the remaining 30 class hours may be obtained by completing at least two of the following courses listed: A minimum of any two (2) other fifteen (15) class hour approved courses listed under subsection (c), below, shall be mandatory.

c) Credit for the additional sixty (60) class hours for broker qualification shall be allowed upon successful completion of four (4) of the following one (1) credit hour approved courses:

- 1) A) Appraisal
- 2) B) Property Management
- 3) C) Contracts and Conveyancing (mandatory)
- 4) D) Financing
- 5) E) Sales and Brokerage
- 6) F) Farm Property Management
- 7) G) Real Property Insurance
- 8) H) Advanced Real Estate Principles (mandatory)



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- b) An applicant for a broker license who is licensed as an Illinois real estate salesperson is presumed to have completed the Real Estate Transactions Course provided that such licensee has not been inactive or nonrenewed for five years or more. Having received 30 class hours credit as a licensed real estate salesperson, an additional 30 class hours credit cannot accrue by taking the Real Estate Transactions Course.
- d) Each school shall provide adequate time and facilities for conducting make-up classes for students who were absent from the regularly-scheduled class period.
- e) Attendance of thirty (30) class hours is mandatory in the Real Estate Transactions course designated in 68 Ill. Adm. Code 1450.240, and fifteen (15) class hours is mandatory in courses designated (1) through (9) in subsection (e) above. Credit for absences not to exceed 10% of the mandatory class hours may be made up by attendance at make-up classes as provided in subsection (d) above. Wherever course class hours exceed by 10% or more the mandatory thirty (30) class hours provided in the Real Estate Transactions Course and the fifteen (15) class hours provided in the courses designated in subsection (e) above, credit not to exceed 10% of the mandatory class hours may be given toward absent class hours. Absences in excess of 10% of class hours shall be sufficient cause for failure of the course.

(Source: Section 1450.11 renumbered from Section 1450.230, amended at 15 Ill. Reg. 04.16 effective July 1, 1991)

### Section 1450.12 Educational Requirements for a Baccalaureate Degree with a Minor in Coursework in Real Estate

A "minor in courses involving real estate" as set forth in Section 11 of the Act shall consist of the following: ~~is defined to consist of~~

- a) thirty (30) semester credit hours in accounting, law, business law, finance, agriculture, computer science, land economics, real estate principles, and appraisal or related courses;
- b) with Nao more than ten (10) semester credit hours shall be granted in any one subject listed in subsection (a) above, counted as applicable in any one (1) of said subjects, and including within said thirty (30) credit hours
- c) At least six (6) semester credit hours of the 30 semester hours listed in subsection (a) above shall be in courses in real estate principles. Thirty (30) class hours in an approved real estate school may be substituted for six (6) semester credit hours in real estate principles.

(Source: Section 1450.12 renumbered from Section 1450.250, amended at 15 Ill. Reg. 04.16 effective July 1, 1991)

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### Section 1450.15 Salesperson and Broker Examinations

- a) Each applicant for a salesperson's license shall file an application for examination ~~prior to an examination date~~ as determined by the designated testing service. The application shall include:
- 1) Certification ~~Proof~~ that the applicant is 21 years of age, ~~unless this provision has been waived pursuant to Section 11 of the Act. The minimum age of 21 years shall be waived for any person seeking a license as a real estate salesperson who has attained the age of 18 and can provide evidence of the successful completion of at least 4 semesters of post secondary school study as a full-time student or the equivalent, with major emphasis on real estate courses, in a school approved by the Department (Section 11 of the Act).~~ For the purposes of this Section, 48 semester hours shall be determined to meet the requirements of Section 11 of the Act.
  - 2) Certification of graduation from high school or its equivalent (e.g., GED), ~~Proof that the applicant has completed a 4-year course of study in a high school or secondary school approved by the Illinois State Board of Education or an equivalent authority in another jurisdiction or an equivalent course of study as determined by an examination conducted by the Illinois State Board of Education or an equivalent authority in another jurisdiction.~~
  - 3) The required fee specified in Section 15 of the Act;
  - 4) Proof of one of the following:
    - A) Currently admitted ~~Admission~~ to practice law by the Supreme Court of Illinois;
    - B) Completion of at least 30 class hours of instruction in real estate courses approved by the Board in accordance with Section 1450.290(d)(2)(A) ~~as specified in Section 1450.229 of this Part;~~
    - C) Completion of a correspondence course approved by the Board in accordance with ~~as specified in~~ Section 1450.215 of this Part; or
    - D) Evidence of receiving a baccalaureate degree from a college or university with a minor in coursework in real estate as defined in Section 1450.12 including at least a minor course involving real estate or related material from a college or university approved by the Board ~~as specified in Section 1450.250 of this Part.~~

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- b) ~~Applicants who have completed the instruction described in subsection (b) above after the final filing date for an examination will be permitted to submit such proof at the time of the examination, subject to the late fee and late proof procedures established by the testing service designated by the Department.~~
- e) Each applicant for a broker's license shall file an application for examination prior to an examination date as determined by the designated testing service. The application shall include:

- 1) Certification Proof that the applicant is 21 years of age;
- 2) ~~Certification of graduation from high school or its equivalent (e.g., GED) Proof that the applicant has completed a 4 year course of study in a high school or secondary school approved by the Illinois State Board of Education or an equivalent authority in another jurisdiction or an equivalent course of study as determined by an examination conducted by the Illinois State Board of Education or an equivalent authority in another jurisdiction;~~

- 3) The required fee specified in Section 15 of the Act;

- 4) Proof of one of the following:

- A) ~~Currently admitted Admission to practice law by the Supreme Court of Illinois; or~~
- B) ~~Completion of at least 90 hours of instruction in real estate courses approved by the Board in accordance with as specified in Section 1450.11 1450.230 of this Part; or~~
- C) ~~Completion of a correspondence course approved by the Board in accordance with as specified in Section 1450.215 of this Part; or~~
- D) ~~Evidence of receiving a baccalaureate degree from a college or university with a minor in coursework in real estate as defined in Section 1450.12 including at least a minor course involving real estate or related material from a college or university approved by the Board as specified in Section 1450.250 of this Part.~~

- 5) c) ~~Applicants Individuals applying for licensure based upon proof of either subsection (B), (C), or (D) as outlined in Section 1450.15(c)(4) above shall submit proof of one year of the last three years of active practice as a licensed salesperson.~~

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- 1) ~~This Proof of active practice shall be in the form of a verification of employment/experience certification on a form provided by the Department.~~
- 2) ~~If an applicant sits for the examination prior to meeting the experience requirement, the examination scores shall be null and void and the applicant shall be required to retake the examination.~~
- d) ~~Applicants who complete the instruction described in subsection (a)(4)(B) and (c)(4)(B) above after the final filing date for an examination will be permitted to submit such proof at the time of the examination, subject to the late fee and late proof procedures established by the testing service designated by the Department.~~
- e) ~~If an applicant has failed an examination 3 times, the applicant must successfully complete a refresher course or its equivalent approved by the Board in order to be readmitted to sit for the examination (Section 12 of the Act).~~

- 1) ~~The refresher course must be completed after the third failure.~~

- 2) ~~For the purposes of this Section, the fourth attempt shall be the same as the first (Section 12 of the Act).~~

- f) ~~Pursuant to Section 12 of the Act, the 5 year time period does not apply to education earned as part of a baccalaureate degree program in accordance with Section 1450.12 of this Part.~~

(Source: Amended at 15 Ill. Reg. 0416, effective July 1, 1991)

## Section 1450.17 Applications for Salespersons and Brokers Licenses by Examination

- a) Each applicant for a salesperson's license shall ~~must~~ submit to the Department:
  - 1) An application which is signed by the applicant and on which all questions have been answered;
  - 2) ~~The Fee of \$39 as required by Section 15 of the Real Estate License Act of 1983;~~
  - 3) Proof of successful completion of the examination authorized by the Department; ~~and~~
  - 4) A properly completed sponsor card issued in accordance with Section 1450.18(b); ~~and~~



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- b) Each applicant for a broker's license shall ~~not~~ submit to the Department:
- 1) An application which is signed and on which all questions have been answered;
  - 2) The Fee of \$64 as required by Section 15 of the Real Estate License Act of 1983;
  - 3) Proof of successful completion of the examination authorized by the Department;
  - 4) A properly completed sponsor card form issued in accordance with 1450.18(b); and
  - 5) A properly completed consent to audit and examine special accounts form.
- c) An applicant shall have one year from the date of receipt of a passing score on the examination to file an application with the Department and to meet all of the requirements for licensure.

(Source: Amended at 15 Ill. Reg. 104.16, effective July 1, 1991 )

## Section 1450.18 Sponsor Card

- a) Authority
- 1) A properly issued sponsor card shall serve as a temporary permit allowing the sponsored individual to engage in the practice of real estate.
  - 2) The sponsored individual holding a temporary permit may practice real estate for a maximum of 45 days only under the supervision of the sponsoring broker (or the designated managing broker) named on the sponsor card.
- b) Circumstances of Issuance
- A licensed real estate broker (or the designated managing broker) shall issue a sponsor card to an individual only in the following instances:
- 1) Upon presentation of ~~an unnumbered~~ a real estate examination pass score report which states that the broker may issue a sponsor card; or
- 2) Salesperson Applicant
- A) a copy of the sponsor card;
  - B) ~~an unnumbered~~ a real estate pass score report which states that the broker may issue a sponsor card; and
  - C) other documentation as required by Section 1450.17(a).
- 3) Broker Applicant
- A) a copy of the sponsor card;
  - B) ~~an unnumbered~~ a real estate pass score report which states that the broker may issue a sponsor card; and

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- 2) Upon presentation of an original license endorsed by the broker by whom the licensee was previously employed or with whom the licensee was previously associated;
  - 3) Upon presentation of a license expired for less than 5 years.
- c) Issuance Procedures
- Upon issuance of a sponsor card, the issuing broker shall, within 24 hours of issuance, submit the following to the Department by certified or registered mail return receipt requested:

- 1) Licensees
  - A) a copy of the sponsor card; and
  - B) appropriate sponsor card fee as set forth in Section 15 of the Act; and
  - C) the properly endorsed real estate license and pocket card of the sponsored licensee; or
  - D) an expired ~~or inactive~~ license of the sponsored licensee along with the ~~appropriate registration fee and all-lapsed-renewal-fees~~ as set forth in Section 15(A)(3) or (B)(3) of the Act and proof of education, if applicable, ~~other documentation~~ as required by Section 13.2 of the Act; or
  - E) the pocket card of the licensee and a sworn statement by the licensee explaining why the license is not submitted. If neither the license nor pocket card is available, the status of the license shall be verified by the Commissioner of Real Estate or his designee.
- 2) Salesperson Applicant
  - A) a copy of the sponsor card;
  - B) ~~an unnumbered~~ a real estate pass score report which states that the broker may issue a sponsor card; and
  - C) other documentation as required by Section 1450.17(a).
- 3) Broker Applicant
  - A) a copy of the sponsor card;
  - B) ~~an unnumbered~~ a real estate pass score report which states that the broker may issue a sponsor card; and



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- C) other documentation as required by Section 1450.17(b).

4) ~~D)~~ Should the ~~broker~~ applicant be found not to have completed ~~all~~ the ~~required experience for licensee~~ requirements including experience, his sponsor card shall be void, he shall be considered to have never been authorized to practice, and he shall be subject to disciplinary action in accordance with Section 18 of the Act and Section 1450.305 ~~1450.129~~ of this Part.

4) ~~5)~~ The broker issuing the sponsor card shall retain a copy of such card until such time as the license is received and properly displayed in the broker's office.

d) The Department shall, within 30 days of receipt of the sponsor card, appropriate fees and appropriate documentation, issue a license to the sponsored licensee, or notify the ~~issuing broker~~ applicant why such license cannot be issued.

e) Expiration of the Sponsor Card

A sponsor card shall be valid for a period of 45 days from issue date unless extended for an additional 45 days by the Department for good cause.

1) Good cause shall be limited to those instances where the Department has unnecessarily delayed the processing of a license.

2) The request for extension shall be considered granted only upon written notice thereof from the Department.

f) Broker/Sole Proprietor

1) A licensed real estate salesperson or attorney who has passed the real estate broker examination may practice as a sole proprietor, provided that prior to doing business as a sole proprietor the prospective broker submits to the Department the following by certified or registered mail return receipt requested:

- A) a copy of the sponsor card, issued to himself; and
- B) the appropriate licensure fees in accordance with Section 15 of the Act; ~~and~~
- C) ~~an unnumbered~~ a real estate examination pass score report, which states the broker may issue a sponsor card; ~~and~~
- D) a completed consent to audit and examine special accounts form.

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2) Said prospective broker shall not sponsor or employ any licensee, or manage a partnership or corporation until such time as he is issued a real estate broker license.

3) A licensed real estate broker may practice as a sole proprietor or manage a partnership, ~~or~~ corporation or branch office provided that prior to doing business the broker complies with the licensing requirements for partnerships, ~~or~~ corporations or branch offices set forth in Section 1450.25 or 1450.30 and submits the following to the Department by certified or registered mail return receipt requested:

- A) a copy of the sponsor card issued to himself; and
  - B) the appropriate sponsor card fee as set forth in Section 15 of the Act; and
  - C) his properly endorsed real estate broker license and pocket card; or
  - D) an expired ~~or inactive~~ broker license along with the ~~appropriate~~ ~~renewal fee and all-lapsed-renewal-fees-as~~ set forth in Section 15(b)(3) of the Act; and proof of education, if applicable, other ~~documentation~~, as required by Section 13 of the Act; or
  - E) the pocket card and a sworn statement by the licensee explaining why the license is not submitted. If neither the license nor the pocket card is available, the status of the license shall be verified by the Commissioner of ~~Real Estate~~ or his designee.
- 4) The broker shall retain a copy of such sponsor card until such time as the license is received.
- 5) The Department shall within 30 days of receipt of the sponsor card, appropriate fees and documents, issue a license to the broker or shall notify the broker why such license cannot be issued (for example, if additional documentation is required or the documents are completed incorrectly).

g) Termination

- 1) Upon termination of a licensee, a managing broker shall immediately:
  - A) Endorse the licensee's license as provided for on that document;

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- B) Submit a photocopy of the endorsed license to the Department within 24 hours of termination by certified mail return receipt requested;
- C) Retain a copy of the endorsed license at least until the expiration date printed on that license; and
- D) Give the original endorsed license to the licensee.

- 2) Once a license has been endorsed, the licensee is prohibited from practicing real estate until such time as he is issued a properly completed sponsor card.

## h) Display

Each licensee shall carry either a properly issued sponsor card or a valid pocket card at all times and shall display same upon demand.

(Source: Amended at 15 Ill. Reg. 10416, effective July 1, 1991)

## Section 1450.19 Inoperative Salespersons and Brokers Licenses

- a) "Inoperative" means a status of licensure where the licensee holds a current license under this Act, but that licensee is prohibited from engaging in licensed activities because the licensee is unsponsored or the license of the broker with whom the licensee is associated or by whom he is employed is currently expired, revoked, suspended, or otherwise rendered invalid pursuant to this Act (Section 4(11) of the Act).

- b) Pursuant to Section 12.1(b) of the Act, the license of any individual acting as a salesperson whose association with a broker is terminated shall automatically become inoperative immediately upon such termination unless the licensee accepts employment or becomes associated with a new broker or in the case of a broker sponsoring himself.

- c) For the purposes of Section 12.1(b) of the Act, salesperson shall be defined as any licensee acting in the capacity of a salesperson whether holding a salesperson or broker's license.

(Source: Added at 15 Ill. Reg. 10416, effective July 1, 1991)

## Section 1450.20 Managing Broker Responsibilities

- a) The managing broker shall comply with the requirements of Section 13 of the Act. Each real estate broker actively engaged in the real estate business

shall maintain a definite office or place of business within this state for the transaction of real estate business; shall conspicuously display an identification sign of adequate size and visibility on the outside of his office and shall conspicuously display his certificate in his office or place of business and also the certificates of all brokers and salespersons associated with him or employed by him at that location (Section 13 of the Act). (Ill. Rev. Stat. 1985, Ch. 111, Par. 5613)

- b) ~~Branch office~~ At the time of application ~~is made~~ for a branch office license, or at the time of renewal ~~is made~~ of a branch office license, the principal broker shall inform the Department of the name and certificate number of the manager of the branch office. The name of the branch office shall be the same as that of the main office, or shall clearly delineate the branch office's relationship with the main office (e.g. affiliated with, associated with, subsidiary of). The branch office ~~said~~ manager shall ~~not~~ have an active license as a broker. The branch office manager's ~~the~~ primary occupation shall be the supervisor of that office only. The name of the manager of the branch office shall appear on the branch office license. Nothing in this Section shall relieve the principal broker of any legal responsibility for the overall supervision of branch offices.

- c) The managing principal broker shall be responsible ~~may~~ delegate the responsibility for issuing sponsor cards to a ~~managing broker~~.

- d) Upon written request ~~by the principal broker~~ within ten days after the loss of a managing broker manager, the Department shall issue a written authorization to allow temporary permit allowing the continuing operation of a theretofore properly licensed office or branch office, provided that the principal broker or representative under a duly executed power of attorney assumes responsibility, in writing, for the operation of the ~~said~~ office and agrees to personally supervise the operations. ~~of said office~~ No such authorization permit shall be valid for more than thirty days unless extended by the Department for good cause ~~shown~~ and upon written request by the principal broker. Good cause includes such circumstances as sales under contract pending closing, loss of livelihood for sales associates, and undue hardship caused to sellers.

- e) When a managing broker receives a renewal application from the Department for another licensee, he shall ~~not~~ notify the licensee of such receipt, personally within seven ~~7~~ days after receipt or by certified or registered mail, within ten ~~10~~ days after receipt. Such notice shall also inform the licensee that the unprocessed renewal form will be returned to the Department, by the broker, ~~ten~~ (10) days after the date of the notice.



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- f) All managing brokers shall notify ~~must advise~~ the Department on business letterhead of any change of business address within 24 hours of any change. The Department shall, upon receipt, issue a change of address application which shall be returned within 10 days to the Department along with the firm license and ~~with all current business licenses for the broker and individuals in his employ and~~ the appropriate fees specified in Section 15 of the Act. Change of address is required for licensed corporations, partnerships and/or branch offices. A license is returned to the Department for the reason described in this subsection shall remain in good standing until such time as the new licenses are issued and in the possession of the licensee.

- g) The Department will honor the Order of a court of competent jurisdiction appointing a legal representative for the sole purpose of closing out the affairs of a deceased broker or a broker who has been adjudicated disabled, who was a sole proprietor, until the real estate brokerage estate is closed but not to actively engage in the brokerage business as defined in Section 4(5) of the Act.

(Source: Amended at 15 Ill. Reg. 10416, effective July 1, 1991)

## Section 1450.25 Branch Offices

- a) Brokers wanting to operate a real estate branch office shall, in accordance with Section 13 of the Act, file an application with the Department, on forms provided by the Department, together with the following:

- 1) A properly completed Consent to Examine and Audit Special Accounts Form;
  - 2) The name and license number of the manager of the branch office; and
  - 3) The fee required by Section 15 of the Act.
- b) Upon receipt of the above documents and review of the application, the Department shall issue a license authorizing the Broker to engage in real estate activities at that branch office or shall notify the applicant of the reason for the denial of such license.
- c) The name of the branch office shall be the same as that of the main office, or shall clearly delineate the branch office's relationship with the main office (e.g., affiliated with, associated with, subsidiary of).

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- d) The broker in charge of a branch office shall submit sponsor cards for himself and brokers and salespersons in his employ only AFTER receipt of the branch office license.

(Source: Added at 15 Ill. Reg. 10416, effective July 1, 1991)

## Section 1450.30 Corporations, and Partnerships, and Limited Partnerships

- a) Registration requirements

- 1) ~~No partnership or corporation shall be granted a license or engage in the business or capacity, either directly or indirectly, as a real estate broker, unless every member or officer of such partnership or corporation who actively participates in the brokerage business as defined in Section 4(4) of the Act of such partnership or corporation holds a license as a real estate broker and unless every person who acts as a broker for such partnership or corporation holds a license as a real estate broker, and unless every person who acts as a salesperson for such partnership or corporation holds a license as a real estate salesperson (Section 3).~~
- 2) ~~Stenographic, clerical, or office personnel not directly engaged in the practice of real estate brokerage as defined in Section 4(4) of the Act are not required to be licensed.~~
- b) ~~No partnership or corporation shall be licensed to conduct a brokerage business where an individual salesperson or group of salespersons owns or directly or indirectly controls more than 49% of the shares of stock or other ownership interest in said partnership or corporation.~~
- c) ~~Each corporation and partnership licensed under the Act shall, upon original application and at the time of renewal, file with the Department, on forms issued by the Department, a listing of names and addresses of each person who has an ownership interest in said corporation or partnership in excess of 10% of the entire interest therein, and the name and address of each officer, director, or partner.~~
- a) Persons who desire to practice real estate in this State in the form of a partnership or corporation shall, in accordance with Section 3 of the Act, file an application with the Department, on forms provided by the Department, together with the following:
  - 1) If an assumed name is to be used, a copy of the assumed name certificate;



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- 2) A Federal Employer Identification Number (FEIN). If a FEIN has not been issued, a photocopy of the FEIN application.
- 3) A properly completed consent to examine and audit special accounts form.
- 4) A properly completed real estate corporation/partnership information form.
- 5) The fee required by Section 15 of the Act.
- b) All requirements for a license to practice as a corporation or partnership shall be met within 1 year of the date of original application or the application shall be denied and the fee forfeited. Thereafter, to be considered for licensure, such applicant shall file a new application and fee.
- c) Corporations, in addition to the above, shall submit the following:
  - 1) The name of the corporation and its registered address, a list of all officers, and the license number for each officer who is licensed as a real estate broker;
  - 2) A copy of the Articles of Incorporation bearing the seal of the office, in the jurisdiction in which the Corporation is organized, whose duty it is to register corporations under the laws of that jurisdiction. If it is a foreign corporation, a copy of the certificate of authority to transact business in this State is also required; and
  - 3) All unlicensed officers shall submit with the corporation application affidavits of non-participation. Licensed salespersons ~~are prohibited from submitting~~ cannot be officers of the corporation even if they submit an affidavit of non-participation.
- d) Partnerships, in addition to the above, shall submit the following:
  - 1) An application containing the name of the partnership and its business address and the names of all general partners, and the license number of each general partner;
  - 2) An affidavit stating that the partnership has been legally formed.
- e) Limited Partnerships, in addition to the above, shall submit the following:
  - 1) "Escrow monies" means all monies, promissory notes or any other type or manner of legal tender or financial consideration deposited with any person for the benefit of the parties to the transaction. Escrow monies

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- A) A letter of authority from the Secretary of State's Limited Partnership Department; and
- B) A listing of all limited partners and their license numbers.
- f) Upon receipt of the above documents and review of the application, the Department shall issue a license authorizing the partnership or corporation to engage in the practice of real estate or shall notify the applicant of the reason for the denial of such license.
- g) No corporation shall be granted a license, or engage in the business or capacity, either directly or indirectly, of a real estate broker, unless every officer of such corporation who actively participates in the real estate activities of such corporation holds a license as a real estate broker and unless every employee who acts as a salesperson for such corporation holds a license as a real estate broker or salesperson.
- h) No partnership shall be granted a license, or engage in the business or serve in the capacity, either directly or indirectly, of a real estate broker, unless every general partner in such partnership holds a license as a real estate broker, and unless every employee who acts as a salesperson for such partnership holds a license as a real estate broker or salesperson (Section 3 of the Act). Licensed salespersons who have an ownership interest in a partnership shall only be limited partners.
- i) Stenographic, clerical, or office personnel not directly engaged in the practice of real estate brokerage as defined in Section 4(4) of the Act are not required to be licensed.
- j) No corporation shall be licensed to conduct a brokerage business where an individual salesperson or group of salespersons owns or directly or indirectly controls more than 49% of the shares of stock or other ownership interest in the corporation or constitutes more than 49% of the directors of the corporation.

(Source: Amended at 15 Ill. Reg. 10419 effective July 1, 1991)

Section 1450.40 Special Accounts (Escrow Accounts)

## a) Escrow Monies

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*include, but are not limited to, earnest monies and security deposits, except those security deposits in which the person holding the security deposit is also the sole owner of the property being leased and for which the security deposit is being held (Section 4 of the Act).*

- 2) For purposes of this Section, a sole owner shall be a licensee who has a 100% ownership interest held by the licensee alone or ownership as a joint tenant or tenant by the entirety. Ownership of 100% of the beneficial interest of a land trust by a licensee shall be considered as sole ownership by the licensee.

## a) b) Requirements

- 1) Pursuant to Section 18 of the Act, ~~Each~~ brokers who accept escrow monies shall maintain and deposit in a special account, separate and apart from his personal or other business accounts, all escrow monies ~~belonging to others~~ entrusted to him while acting as a real estate broker, ~~or as~~ escrow agent, or as temporary custodian of the funds of others and shall keep same on deposit in such account until the transactions are consummated or terminated, except to the extent that such monies, or any part thereof, shall be disbursed prior to the consummation or termination, in accordance with the ~~agreement~~ written direction of the principals to the transaction or their duly authorized agents.

- A) Such account shall be noninterest bearing, unless the character of the deposit is such that payment of interest thereon is otherwise required by law or unless the principals to the transaction specifically require, in writing, that the deposit be placed in an interest bearing account. (Ill-Rev-Stat-1985, Ch-141, Par-5818)

- B) If an interest bearing account is required, the recipient of the interest shall be specifically indicated, in writing, by the principals of the transaction.

- 2) A broker may maintain more than one special account.

- 2) Such a special account need not be maintained by a broker who does not receive escrow monies ~~belonging to others~~ entrusted to him while acting as a real estate broker, or as escrow agent, or as temporary custodian of the funds of others.

- 2) Should an interest-bearing account be required, the recipient of the interest must be specifically indicated, in writing, by the principals of the transaction.

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- 4) All escrow monies, interest bearing or non-interest bearing, shall ~~must~~ be placed in a federally insured depository.

- 5) All escrow monies collected by a licensee on behalf of owners pursuant to property management activities shall be placed in a special account. The balance in the special account shall not be less than the liability represented by security deposits, which are to be held in the account. These requirements may be waived in writing by the tenants. Such waiver, if included in the lease, shall appear in bold print.

## c) Disputes

- 1) In the event of a dispute over the return or forfeiture of any escrow monies held by the broker or if a broker knows there are facts or circumstances which should reasonably cause a broker to know that any party to a transaction contests or disagrees with an anticipated disbursement of escrow monies held by the broker, the broker shall continue to hold the deposit in his special account:

- A) until he has a written release from all parties consenting to its disposition;

- B) until a civil action is filed, by either the broker or one of the parties, to determine its disposition, at which time payment may be made into court;

- C) until the funds are turned over to the Illinois Department of Financial Institutions because of inactivity of the account or inability to locate the parties; or

- 2) In the event of a dispute over the return of escrow monies a broker is authorized to withdraw from his special account such amounts as may be provided for by contract and which are necessary to reimburse the broker for the handling of the escrow monies, including the participation in or filing of any civil action to determine the appropriate disposition of the monies, or to pay any commissions or fees authorized by subsection (i) below. This subsection applies to interpleader action only.

## b) d) Notification and Consent

- 1) Each broker, corporation, and partnership shall, at the time of original application for licensure and at the time of renewal of licensure, on forms provided by the Department, file with the Department the name of the bank(s), savings and loan associations, or other recognized depositories in which each special account is maintained, and the name of each account, and the name(s) of the person(s) authorized to withdraw funds from such accounts, and shall consent on such form to the examination and audit of all accounts by the Department. The bank, savings and loan association



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or other recognized depository shall certify on the form that the information contained therein is correct. A new form shall be executed by the broker and filed with the Department within 10 days of the time of a change of depository, method of doing business, ~~and/or~~ person authorized to make withdrawal and/or opening of additional accounts.

- 2) Any broker who fails to file the required form within the time limit shall be deemed to have demonstrated ~~unworthiness or incompetency to act as a real estate broker in such manner as to have endangered~~ the interest of the public and is subject to discipline pursuant to Section 18(h)(12) of the Act.

e) Authorization. As a condition of licensure, each broker shall authorize the Department to examine each special account opened by him in connection with ~~his being engaged in the~~ broker's real estate business, shall obtain the certification of the bank or savings and loan association to the ~~condition of the~~ special account and shall consent to the examination and audit of the special accounts by ~~a duly authorized representative of~~ the Department. A new authorization shall be filed with the Department with every license renewal application. ~~Such~~ The certification and consent shall be furnished on forms prescribed by the Department.

e) Commingling Prohibited. Each broker shall deposit only funds received in connection with any real estate transaction in a special account designated as a special account and shall not deposit ~~his own~~ personal funds in a special account, except a broker may deposit from his own personal funds, and keep in any special account, an amount sufficient to avoid incurring service charges relating to ~~such~~ the special account. ~~Said~~ The sum shall be specifically documented as being for ~~said purpose~~ service charges and the broker shall have proof available that the amount of his own funds in the special account does not exceed the minimum amount required by the depository to maintain the account without incurring service charges.

e) Time of Deposit. All funds accepted by a broker on behalf of his principals shall be placed ~~into a neutral depository or in the broker's special account, of which the Department has received notice pursuant to subsection (d) (4) above, not later than the next business day following acceptance of the real estate contract. If such funds are received on a day prior to a bank holiday or any other day on which the bank or savings and loan association is closed, such funds shall then be deposited on the next business day upon which the recognized depository is open.~~

- 1) Branch Office Special Account. If a broker maintains a special account at a branch office, the Department shall receive notice pursuant to subsection (d) above and a separate bookkeeping system shall be maintained in the branch office as set forth in subsection (h) (4), below.

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- 2) No Branch Office Special Account. If a broker does not maintain a special account at a branch office, the broker in charge of the branch office shall deliver or mail such funds received at the branch office to the broker's main office not later than the next business day following acceptance of the real estate contract. The funds received at the main office from a branch office shall be placed in the broker's special account of which the Department has received notice pursuant to subsection ~~(4)~~ (d), above, not later than the next business day following receipt of such funds from the branch office.

f) Bookkeeping System. Each broker shall maintain, in his office or place of business, a bookkeeping system in accordance with sound accounting principles, and without limiting the foregoing, such system shall consist of at least the following:

- 1) A record book, called a journal, for each special account. Such journal shall show the chronological sequence in which funds are received and disbursed by the broker:

A) For funds received such journal shall include the date, the name of the party who delivers such funds to the broker, the name of the person on whose behalf such funds are delivered to the broker and the amount of such funds so delivered.

B) For fund disbursements, such journal shall include the date, the payee, the check number and amount disbursed.

C) A running balance shall be shown after each entry (receipt or disbursement).

- 2) A ledger or a record book ~~which~~ shall show the receipt and the disbursement of ~~such~~ funds ~~as same~~ affecting a single particular transaction such as between buyer and seller, or landlord and tenant, or the respective parties to any other relationship. ~~Such~~ The ledger shall include the names of both parties to a transaction, the amount of such funds received by such broker and the date of such receipt. ~~Such~~ The ledger shall show, in connection with the disbursement of such funds, the date thereof, the payee, the check number and the amount disbursed. ~~Such~~ The ledger shall segregate one transaction from another transaction. There shall be a separate ledger or separate section of each ledger, as the broker shall elect, for each of the various kinds of real estate transactions (e.g. lease).

- 3) Each broker shall reconcile, within ten days after receipt of the monthly bank statement, each special account maintained by such broker except where there has been no transactional activity during the



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previous month. Such reconciliation shall include a written work sheet comparing the balances as shown, on the bank or savings and loan association statement, the journal and the ledger, respectively, in order to insure agreement between the special account and the journal and the ledger entries with respect to such special account. Each such reconciliation shall be kept for at least three years from the last day of the month covered by such reconciliation.

- 4) A broker may employ a more sophisticated bookkeeping system based on sound accounting principles, ~~which utilizes~~ including a system of electronic data processing equipment that includes information required by the bookkeeping system set forth in subsection (a)(1), (2), and (3); above.
- 5) A broker may employ ~~for such funds heretofore described in subsection (a) above~~, a special bookkeeping system for each such special account, provided that the such special account bookkeeping system is in accordance with an agreement between the broker and the principals. In any case At a minimum, the special bookkeeping system set forth in subsection (a)(1), (2), and (3); above shall be required. ~~(Generally, but not by way of limitation, the bookkeeping system and special account referred to in this subsection are the results of management of real estate or servicing of a real estate account by a broker.)~~
- 6) The Department shall have available for distribution, on request, samples of approved journal, ledger and reconciliation sheets ~~heretofore mentioned.~~
- 7) Pursuant to Section 18(9) of the Act, the broker shall make available to the Department's real estate enforcement personnel during business hours all escrow records and related documents maintained in connection with the practice of real estate.
- g) i) Disbursements ~~Withdrawal~~ of Funds for Commissions and Fees:
  - 1) Commissions and/or fees earned by a broker in any transaction shall be disbursed ~~withdrawn~~ by the broker from the funds deposited in a special account no earlier than the day the transaction is consummated or terminated and not later than the next business day after the transaction is consummated or terminated, or otherwise in accordance with the written direction agreement of all the principals to the transaction.
  - 2) Authorized disbursements ~~withdrawals~~ are those which are ~~limited to~~ ~~brokerage---commission,---cooperating---brokerage---commission---and~~

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~~reimbursement of expenses and/or fees paid made on behalf of, and or at the written direction of, all the principals to the transaction.~~

(Source: Amended at 15 Ill Reg. 10416 effective July 1, 1991)

## Section 1450.50 Disclosure

- a) No licensee shall withhold material information of which he has knowledge and which is not reasonably discoverable by inspection of the real estate from any party with whom he is doing business under the Act. This Section shall not be construed to require a licensee to violate his duties under the laws of agency.
- b) No licensee shall accept any finder fees, commissions, discounts ~~or kickbacks~~ or any other compensation from any financial institution, title insurance company or any other person other than a broker licensee, without full disclosure in writing of such receipt to all parties to the conveyance of the property ~~transaction.~~
- c) A licensee shall disclose, in writing, to all parties in that transaction his status as a licensee and any and all interest he or it does have or may have in the real estate constituting the subject matter thereof or in such transaction, directly or indirectly according to the following guidelines:
  - 1) On broker yard signs, no disclosure of ownership is necessary; ~~on the sign, however, but~~ such ownership shall ~~must~~ be indicated on any property data form and disclosed to people responding to the ad or the sign. The term "broker owned" or "agent owned" is sufficient disclosure.
  - 2) Only licensees holding inoperative licenses shall may advertise by owner. Inoperative licensees shall comply with the following if advertising by owner:
    - 2a) A) On "By Owner" yard signs, inoperative licensees shall ~~must~~ indicate "broker owned" or "agent owned." "By Owner" newspaper ads shall ~~must~~ use the term "broker owned" or "agent owned."
    - 2a) B) If an inoperative licensee runs an ad, for the purpose of purchasing real estate, he shall ~~must~~ disclose in that ad that he is a licensee.
    - 4a) 3) In addition to subsections (c)(1); and (2), ~~and (3)~~, all advertising shall ~~must~~ comply with the provisions of Section 1450.90.

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- d) *No cause of action shall arise against a licensee for the failure to disclose that an occupant of that property was afflicted with Human Immunodeficiency Virus (HIV) or that the property was the site of an act or occurrence which had no effect on the physical condition of the property or its environment or the structures located thereon (Section 31.1 of the Act). Such acts shall include, but not be limited to murder or suicide. This provision is intended to apply to actions taken by the Department under the Act as well as to all civil actions in Illinois.*

(Source: Amended at 15 Ill. Reg. 10416, effective July 1, 1991 )

## Section 1450.55 Agency Disclosure Pursuant to Section 18.2 of the Act

- a) All disclosures shall be made in writing at or before the time of the first significant contact and shall be dated. However, if the first such contact is by telephone or in a similar manner, then oral disclosure should be made at that time and confirmed by written disclosure as required by this Section.

- 1) For the agent of a prospective buyer, "significant contact" shall mean the time at which the agent contacts the seller or seller's agent on behalf of one or more prospective buyers concerning the availability, price, condition of, or a showing of, a particular property or properties.

- 2) For the agent of a seller, "significant contact" shall mean the following:

- A) the beginning of the showing of real property to the prospective buyer other than at an open house;
- B) the beginning of the preparation of an offer to purchase real property for the prospective buyer; or
- C) the beginning of an agent's prequalifications of a prospective buyer to determine the prospective buyer's financial ability to purchase real estate or the agent's request for specific financial information from a prospective buyer to determine ability to purchase or finance real estate in a particular price range.

- 3) Written disclosure may be provided in person, by mail, telefax, or other similar means sufficient to satisfy the written notice requirement of this Section (i.e. electronic mail, telegram).

- b) The prospective buyer or seller shall be provided with a copy of the disclosure, and the employing broker shall retain a copy of the disclosure in the employing broker's files.

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- c) Disclosure to a seller can be made through the seller's agent.
- d) The listing office is not required to make disclosure to a prospective buyer unless the listing office has significant contact with the prospective buyer.
- e) The office that holds the listing is not required to ensure that a cooperating office has complied with the disclosure requirements of the Act.
- f) A written disclosure of agency must be made to a prospective buyer even though the licensee or licensee's employing broker has previously entered into a written agreement with the prospective buyer to represent the prospective buyer if the licensee is acting as the agent of the seller in regard to a particular property or transaction in which the prospective buyer is involved.
- g) The written disclosure of agency to the seller or prospective buyer can be a general disclosure and does not need to be site or party specific unless:
- 1) As to a prospective buyer, the licensee is a seller's agent as to some properties and an agent of the buyer in regards to the purchase of other properties.
- 2) As to a seller, the licensee is a subagent or cooperating agent of the seller, as to some prospective buyers and an agent of the buyer as to other prospective buyers.
- h) Section 18.2 of the Act does not apply to lease or rental transactions unless the lease or rental agreement includes an option to purchase the real property.
- i) Disclosure of a licensee's interest as a principal in a transaction shall satisfy the agency disclosure requirements of the Act.
- j) A licensee selling real property at auction may make the disclosure required by Section 18.2 of the Act by including that disclosure in advertising or in information sheets distributed to bidders at the time of the auction.
- k) No disclosure of an agency relationship need be made by a licensee when the licensee is merely making a referral of a prospective buyer or seller to another real estate brokerage entity even though consideration or compensation is or may be paid to the referring licensee, unless the licensee has significant contact with the prospective buyer or seller.

(Source: Added at 15 Ill. Reg. 10416, effective July 1, 1991 )



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## Section 1450.60 Employment Contracts

- a) Every broker who employs salespersons or brokers or is associated with other licensees as independent contractors shall have a written agreement with each such person. The agreement shall be dated, signed by the parties and shall ~~must~~ cover the salient aspects of their relationship, including, but not necessarily limited to, supervision, duties, compensation and termination.
- b) Licensed activity. A broker may continue to make payments directly to a terminated licensee if such payments are pursuant to terms of an employment agreement and such payments are for licensed activity performed while employed by that broker.
- b) ~~c)~~ ~~In the event~~ If it is the duty of an employed associated broker to supervise a branch office, the agreement shall ~~must~~ so state and contain the address of the branch office supervised by such employed associated broker. A copy of the agreement shall be kept and available for inspection in the branch office supervised by each employed associated broker.

(Source: Amended at 15 Ill. Reg. 10416 effective July 1, 1991)

## Section 1450.70 Listing Agreements

- a) All ~~exclusive~~ written listing agreements shall ~~be written and~~ contain the following:
  - 1) the list price;
  - 2) the agreed basis or amount of commission and the time of payment;
  - 3) the duration of the contract, clearly set forth;
  - 4) name of broker and seller;
  - 5) identification of property involved (address or legal description); and
  - 6) signatures of the parties.

- b) Pursuant to Section 19 of the Act, ~~No~~ licensee shall obtain any written listing agreement ~~contract~~ containing a clause automatically extending the listing period.

- c) Every written listing shall provide that no amendment or alterations in the terms, ~~thereof~~ with respect to the amount of commission or with

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respect to the time of payment of commission shall be valid or binding unless made in writing and signed by the parties ~~thereto~~. No licensee shall use Sale Contract forms that change previously agreed commission payment terms unless seller and listing agent agree to such changes in a written memorandum separate from the Sale Contract. Any such Sale Contract forms may state that a commission is to be paid to a named licensee pursuant to a separate agreement.

- d) ~~In the event~~ If the terms of the listing agreement are such that seller may not receive the earnest money deposit, in the event of purchaser's default, a statement to this effect shall appear in the listing agreement, in letters larger than those generally used in the listing agreement.
- e) Each listing agreement shall clearly state that it is illegal for either the owner or the broker to refuse to display ~~to or to sell to~~ any person because of their race, color, religion, national origin, sex, ~~handicap or physical disability~~, or familial status.
- f) Each listing agreement for a residential property of four units or less, which provides for a protection period subsequent to its termination date, shall also provide that no commission or fee will be due and owing pursuant to the terms of the listing agreement if, during the protection period, a valid, written listing agreement is entered into with another licensed real estate broker.

- g) A broker may discuss a possible future listing agreement with a seller whose property is listed with another broker only under the following conditions:

- 1) when the seller initiates the contact; or
- 2) when the listing broker upon request fails to provide within 10 calendar days the type and expiration date of the listing agreement between the seller and the listing broker. The request and response shall be in writing and mailed return receipt requested. If the above information is not received within 14 calendar days, the broker may then contact the seller only if this information cannot be obtained from another source of shared broker information.

(Source: Amended at 15 Ill. Reg. 10416 effective July 1, 1991)

## Section 1450.80 Written Agreements

- a) No licensee shall solicit, accept or execute any contract, ~~writing~~ or other document relating to a real estate transaction which shall contain any blanks to be filled in after signing or initialing such contract, ~~writing~~ or other document.



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- b) No licensee shall make any addition to, deletion from or alteration of any signed contract, ~~writing~~ or other document relating to a real estate transaction without the written, telefax or telegraphic consent or direction from all signatories ~~persons having signed same~~. No licensee shall process any contract, ~~writing~~ or other document that has been altered after being signed, unless each addition, deletion or alteration is signed or initialed by all signatories ~~persons who have signed or initialed such contract, writing, or other document, prior to at the time of~~ such addition, deletion or alteration.
- c) A true copy of the original or corrected contract, ~~writing~~ or other document relating to a real estate transaction shall be hand delivered or mailed within 24 hours of the time of signing or initialing such original or correction to the person signing or initialing any such contract, ~~writing~~ or other document.
- d) All forms used by licensees intended to become binding real estate contracts shall ~~should~~ clearly set state this ~~forth~~ in the heading in large bold type. No licensee shall use a form designated Offer to Purchase when it is intended that such form shall be a binding real estate contract.

(Source: Amended at 15 Ill. Reg. 10416, effective July 1, 1991 )

## Section 1450.90 Advertising

- a) ~~Except for inoperative licensees selling their own property, the broker's business name (which in the case of a franchise shall include the franchise affiliation as well as the individual firm) shall not be displayed in all real estate advertisements, including but not limited to newspapers as defined by Section 4(14) of the Act, magazine, business card, signs, circular or other publication or advertising media.~~
- b) No blind advertisements may be used by any licensee regarding the sale or lease of real estate, including his own, or regarding real estate activities or the hiring of all licensees under the Act, ~~including employment and schools.~~
- b) c) No advertising is to be fraudulent, deceptive, inherently misleading, or proven to be misleading in practice. It is considered misleading or untruthful if, when taken as a whole, there is a distinct and reasonable possibility that it will be misunderstood or will deceive the ordinary purchaser, seller, renter, or owner. Advertising shall contain all information necessary to ~~make the communication communicate accurately not misleading and shall not contain any false or misleading statement or otherwise operate to deceive.~~ The form of communication shall be designed to communicate the information of contained therein to the public in a direct and readily comprehensible manner.

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## Section 1450.150 Reciprocal Licensure

- a) A license shall be issued without examination to a real estate broker licensed under the laws of his home state or to a real estate salesperson licensed under the laws of his home state under the following conditions:
- 1) That the broker or salesperson is the holder of an active license in his home state;
  - 2) That the standards of that state for licensing as a real estate broker or salesperson are substantially equivalent to the minimum standards in Illinois;
  - 3) That the broker maintains a definite place of business in his home state and has been actively engaged in the real estate business as a broker during the immediately preceding ~~two (2)~~ years;
  - 4) That the broker's or salesperson's home state grants reciprocal privilege to brokers and salespersons licensed in Illinois; and
  - 5) If he is a salesperson ~~nonresident-salespersons~~ holding an Illinois reciprocal license, that he is employed by or under contract to a ~~non-resident Illinois-licensed real estate broker residing in the same state broker who also holds an Illinois license and resides in the same state.~~
- b) The broker or salesperson shall file an application, on forms furnished by the Department, along with the required fee specified in Section 15 of the Act and a statement bearing the under seal of the licensing authority in the state in which he is licensed, showing that he has an active license as a broker or salesperson in that state.
- c) Upon request by the Department ~~renewal~~, the broker or salesperson shall attest in writing, on forms supplied by the Department, to the fact that his license in his home state is active and in good standing and that he understands that his reciprocal license is ~~valid only as long as he remains a resident of that state and will be invalid on the date his home state license is expired, is suspended, is inactive, or otherwise not in good standing.~~
- d) A reciprocal license becomes invalid when the licensee changes his residence to Illinois or any other state. Such individual ~~shall not~~ meet the licensure requirements of the Act and this Part in effect at the time of his application for relicensure in Illinois ~~and these rules then in effect and shall not be issued~~ obtain a license in accordance with Section 12 or Section 14 of the Act prior to practicing in this State.

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- e) All requirements for licensure by reciprocity shall be met within 1 year of the date of original application or the application shall be denied and the fee forfeited. Thereafter, to be considered for licensure, such applicant shall file a new application and fee.

(Source: Amended at 15 Ill. Reg. 10416, effective July 1, 1991)

## Section 1450.170 Rental Finding Services

## a) Definition - Application.

- 1) A rental finding service is any business which finds, attempts to find, or offers to find, for any person who pays or is obligated to pay a fee or other valuable consideration, a unit of rental real estate or a lessee to occupy a unit of rental real estate, not owned or leased by such business.
- 2) Any person, partnership, or corporation which operates a rental finding service shall be considered a broker or salesperson as defined in the Real Estate License Act, shall obtain a license pursuant to the Act, and shall comply with the provisions of this Section.

## 3) The provisions of this Section shall not apply to:

- A) Newspapers as defined in Section 4(14) of the Act, or other periodicals which are issued at regular intervals, have a general circulation, and are not issued primarily for the purpose of promoting on behalf of others the leasing of real estate;
- B) Listing contracts between owners or lessors of real estate and licensees.

- b) Contract. A rental finding service shall, prior to accepting a fee or other valuable consideration for such services, enter into a written contract with the person for whom such services are to be performed and deliver to such individual a copy of such contract. Such contract shall include in the case of a rental finding service which finds, offers, or attempts to find a unit of rental real estate for an individual, at a minimum, the following provisions:

- 1) The term of the contract;
- 2) The total amount to be paid for the services to be performed thereunder and a clear designation of the amount paid in advance of the performance of such services;

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- 3) A statement regarding the refund or non-refund of the fee paid in advance, which shall include:
  - A) the precise conditions, if any, upon which a refund is based;
  - B) the fact that such conditions shall ~~must~~ occur within ~~ninety~~(90) days from the date of the contract;
  - C) the fact that the refund shall ~~must~~ be paid no later than ~~ten~~(10) days after demand ~~therefor~~, provided the check has been honored.
- 4) The statements required by subsection (3) above shall be uniform in type of a size larger than that used for the balance of the contract;
- 5) The type of rental unit desired, the geographical area requested, and the rent the prospective tenant is willing to pay;
- 6) A detailed statement of rental finding services to be performed by the licensee, which services shall include, at a minimum, the delivery to such prospective tenant of all rental information as listed in subsection (c) below;
- 7) A statement that such contract shall be null and void if information concerning possible rental units or locations furnished by the licensee is not current or accurate with respect to the type of rental unit desired and described in subsection (b)(5) above. A listing for a rental unit which has not been available for rent for over two days shall be prima facie proof of not being current;
- 8) A statement that information furnished by the licensee concerning possible rental units may be up to ~~two~~ 2 days old;
- 9) A statement requiring the licensee to refund all fees paid in connection with the contract if such contract is null and void for any reason. The licensee shall not impose any condition for such refund and the contract shall state when the refund will be paid.

- c) Disclosure. Pursuant to subsection (b)(6) above, the following written information for each rental unit shall be provided to the person with whom such contract is entered into:

- 1) The name, address, and the telephone number of the owner of each rental unit, or his authorized agent;
- 2) A description of the rental unit;



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- 3) The amount of rent requested;
  - 4) The amount of security deposit required;
  - 5) A statement describing utilities which are located in the rental unit and included in the rent;
  - 6) The occupancy date and the term of lease;
  - 7) A statement setting forth the source of the rental information; (i.e., owner, agent);
  - 8) All other information which may reasonably be expected to be of concern to the prospective tenant.
- d) Permission of Owner. A rental finding service shall not list or advertise any rental unit without the express written authority of the owner or agent of each unit.
- e) Violation. Without limiting the provisions of the Act or this Part, a licensee shall be deemed to have demonstrated unworthiness or incompetence as a broker under Sections 18 and 20 of the Act when such registrant shall have violated any provision of this Section, including, but not limited to, failing to refund, pursuant to proper demand, any rental finding fee to any person lawfully entitled to such refund.

(Source: Amended at 15 Ill. Reg. 10416, effective July 1, 1991)

## Section 1450.180 Renewals

- a) ~~Every license issued under the Act as a real estate broker, partnership or corporation shall expire on January 31 of each even numbered year. Every licensee issued under the Act as a salesperson shall expire on March 31 of each odd numbered year. The holder of a license may renew such license during the month preceding the expiration date thereof by paying the required fee specified in Section 15 of the Act.~~
- b) ~~It is the responsibility of each licensee to notify the Department of any change of address.~~
- c) ~~All renewals must include the name and license number of the sponsoring broker.~~
- d) ~~Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee.~~

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- a) ~~Every salesperson's license issued under the Act shall expire on March 31 of each odd numbered year. The holder of a salesperson's license may renew such license during the month preceding the expiration date thereof by paying the required fee set forth in Section 15 of the Act, unless otherwise provided for in subsections (c) and (d) below.~~
- b) ~~Every broker's license issued under the Act shall expire on January 31 of each even numbered year. The holder of a broker's license may renew such license during the month preceding the expiration date thereof by paying the required fee set forth in Section 15 of the Act, unless otherwise provided for in subsections (c) and (d) below, and shall submit a properly completed consent to audit and examine special accounts form.~~
- c) ~~Every license issued to a partnership, corporation or branch office under the Act shall expire on October 31 of each even numbered year. The holder of such license may renew that license during the month preceding the expiration date thereof by paying the required fee set forth in Section 15 of the Act and by submitting the following:~~
- 1) ~~A properly completed consent to audit and examine special accounts form; and~~
  - 2) ~~A properly completed corporation/partnership information form, except for branch office.~~
- d) ~~It is the responsibility of each licensee to notify the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee or to renew one's license.~~
- e) ~~Practicing or offering to practice on an expired or inoperative license shall constitute unlicensed or unauthorized practice and shall be grounds for discipline pursuant to Section 18 of the Act.~~
- f) ~~Any licensee referenced in subsection (a) and (b) above, whose license under this Act has expired is eligible to renew such license without paying any lapsed renewal fees or reinstatement fee provided that such license expired while the licensee was:~~
- 1) ~~on active duty with the United States Army, United States Navy, United States Marine Corps, United States Air Force, United States Coast Guard, the State Militia called into the service or training of the United States, or~~
  - 2) ~~engaged in training or education under the supervision of the United States prior to induction into military service, or~~



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- 3) servicing as the Commissioner of Real Estate in the State of Illinois, or as an employee of the Department (Section 13.1 of the Act).
- 4) Licensees renewing their license in accordance with this subsection may renew such license within a period of two years following the termination of such service and are not required to take a refresher course or to retake.

g) In accordance with Section 13.2 of the Act, any individual whose license under this Act has expired for more than 5 years shall not be eligible for renewal of such license.

- 1) Any licensee whose license has been expired for less than 3 years may renew such license at any time by complying with the requirements of this Section and by paying the fees required by Section 15 of the Act.
- 2) A licensee whose license has been expired for more than 3 years but less than 5 years may renew such license only after providing the Department with evidence that the licensee has satisfactorily completed at least 15 hours of refresher courses at a program approved in accordance with Section 1450.210 and by otherwise complying with the requirements of this Section. The refresher course shall be completed within one year prior to renewal.

h) All renewals shall include the name and license number of the sponsoring broker.

- i) In accordance with Section 13 of the Act, within 60 days after the conclusion of the broker and salesperson renewal period, the Department shall prepare and mail to each licensed real estate broker a listing of licensees who, according to the Department's records, are sponsored by that broker.

1) This list shall be mailed to the last known address of the broker.

2) The broker shall respond to the Department within 30 days after the receipt of this listing by either:

- A) Submitting to the Department a statement verifying the accuracy of such list; or
- B) Notifying the Department in writing of any discrepancies in the list.

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- 3) Failure by a broker to respond to the Department as set forth in subsection (b)(2)(B) above shall serve as automatic verification by the broker that the information contained on the list is correct.

(Source: Amended at 15 Ill. Reg. 10416 effective July 1, 1991)

## Section 1450.185 Granting Variances

a) The Director may grant variances from these rules in individual cases where he finds that:

- 1) the provision from which the variance is granted is not statutorily mandated;
- 2) no party will be injured by the granting of the variance; and
- 3) the rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.

b) The Director shall notify the Real Estate Administration and Disciplinary Board of his intention to grant a variance, and the reasons therefor, at a meeting of the Board, prior to his granting said variance.

(Source: Amended at 15 Ill. Reg. 10416 effective July 1, 1991)

## SUBPART B: SCHOOL RULES

## Section 1450.210 Approval of Schools (Repealed)

a) ~~All schools teaching real estate courses in the State of Illinois must be approved by the Department, and by the governing board of the State of Illinois under which they are supervised.~~

b) ~~In accordance with the requirement in Section 31 of the Act, a school is defined as an educational institution offering annually subjects in real estate as provided in Section 31 of the Act. Said school shall offer, in addition to the thirty (30) class hour Real Estate Transactions Course as designated in Section 1450.240 of this Part and the two mandatory broker courses as designated in Section 1450.230(e) of this Part, at least three (3) of the optional courses as designated in Section 1450.230(e) of this Part.~~

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- 4) Maintain ~~Maintains~~ a list of titles, authors and/or ~~subject-matter~~ specialists, publishers, and copyright dates of all instructional materials;
- 5) Require minimum passing scores for all its tests and examinations of no less than 75% on all examinations and a 75% passing grade on a minimum 100-question final examination;
- 6) Maintains ~~Consist of~~ at least 5 lessons and examinations ~~plus lessons and examinations which shall be a minimum of five (5) in number with one (1) additional final examination of at least 100 questions.~~
- b) The program school shall develop a written ~~provide the Department with a course of study which shall include a statement of teaching methods to be employed and; materials, and equipment needed for each course of instruction.~~
- c) The program school shall establish written policies and procedures which shall include written policies for grading examinations ~~required tests and lessons, which shall include plans and the prompt return of such materials.~~ There shall also be provisions for instructor comments, and suggestions and for written correction of errors. There shall also be written procedures for the prompt return of materials and weaknesses by approved faculty-instructors approved pursuant to Section 1450.290(c) of this Part.
- d) The program school shall establish performance objectives for each specific courses of study, and the overall pass rate on the licensure examination shall not fall below forty percent (40%) for a six (6) month period, either January through June or July through December.
- e) The program shall maintain an average passing rate of at least 40% for all students who take the licensure examination for the first time over a 6 month period, either January through June or July through December. The school shall have a full time home study coordinator who is not the Director of the program.
- f) An approved qualified instructor shall ~~must~~ be available during normal business hours to answer student questions.
- g) Students shall be allowed to attend ~~sit in on~~ the school's regularly scheduled real estate courses ~~prelicensing classes.~~

(Source: Amended at 15 Ill. Reg. 10416, effective July 1, 1991)

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- 1) Private schools operated by corporations or community organizations chartered by the State of Illinois, individuals and partnerships, to meet the education requirements of applicants for real estate broker or salesperson license under the Act, shall qualify for accreditation providing they meet the requirement for appointment of instructors, content of courses, hours of instruction, and pay the fee required by Section 15(e) of the Act.
- 2) Out-of-state private business and vocational schools shall be approved if the school meets the same standards and conditions as an in-state approved school specified in Section 1450.290 of this Part, pays the fee required by Section 15(d) of the Act.
- 3) A correspondence school organized as a private business school either out-of-state or in-state must receive approval to operate from the Department and the State Board of Education.
- 4) Out-of-state colleges and universities chartered by their state education authority shall be approved providing their standards of instruction as specified in Section 1450.290(d) of this Part meet the approval of the Department.
- e) No approved real estate school may add courses or locations without prior written approval by the Department.

(Source: Repealed at 15 Ill. Reg. 10416, effective July 1, 1991)

Section 1450.215 Home Study/Correspondence Programs Schools

Home study/correspondence programs shall be affiliated with an approved school and meet the curriculum requirements set forth in Section 1450.280(c) of this Part. The Department shall upon the recommendation of the Board, accept as approved a home study/correspondence school which meets the following minimum criteria:

- a) The program shall must:
- 1) Be approved by this Department in accordance with Section 1450.210 the ~~appropriate governing board in the State of Illinois, except in the case of private vocational schools;~~
- 2) Maintain a brief description of each lesson;
- 3) Maintain a list of approved instructors who prepare each specific lesson the authors and/or subject-matter specialists for all lessons with a statement on the qualifications of the individuals in the instructional field;



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## Section 1450.220 Definition of Class Hour and Credit Hour (Repealed)

- a) A class hour in a course shall be defined as fifty (50) minutes of lecture in classroom attendance or the equivalent materials through correspondence in a school approved by the Department.
- b) For each full 15 class hours earned for attendance at and receiving a passing grade in an approved course, one (1) credit hour shall be granted.
- c) Six (6) credit hours (ninety (90) class hours or more) are required of broker applicants.
- d) Two (2) credit hours (thirty (30) class hours or more) are required of salesperson applicants.
- e) Credits for class hours and credit hours for broker and salesperson applicants must accrue from attendance in courses at schools approved by the Department.
- f) No approved course shall have a minimum of less than fifteen (15) class hours.
- g) Each school shall provide adequate time and facilities for conducting make-up classes for students who were absent from the regularly scheduled class period.

(Source: Repealed at 15 Ill. Reg. 10416, effective July 1, 1991)

## Section 1450.230 Educational Requirements of Broker Applicant Who is a Licensed Illinois Real Estate Salesperson (Renumbered)

(Source: Section 1450.230 renumbered to Section 1450.11, new Section adopted at 15 Ill. Reg. 10416, effective July 1, 1991)

## Section 1450.240 Class Attendance Requirements Class Hour Requirements for the Real Estate Transactions Course

- a) Attendance at all classes is mandatory; however, credit for absences not to exceed 10% of the class hours may be made up by attendance at make-up classes as provided in subsection (b) below. Absences in excess of 10% of class hours shall result in failure of the course. The thirty (30) class hour credit (two (2) credit hours) course required of all applicants for salesperson license or the thirty (30) class hour credit portion of the course requirement for applicants for broker license shall be entitled "Real Estate Transactions Course".

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- b) Each school shall provide time and facilities for conducting make-up classes for students who were absent from the regularly scheduled class period. Each applicant shall have successfully completed thirty (30) class hours as defined in 68 Ill. Adm. Code 1450.220.
- c) Attendance of thirty (30) class hours is mandatory in the Real Estate Transactions Course. Credit for absences not to exceed 10% of the mandatory class hours may be made up by attendance at make-up classes as provided in 68 Ill. Adm. Code 1450.220(g).
- d) Wherever course class hours exceed by 10% or more the mandatory thirty (30) class hours provided in the Real Estate Transactions Course, credit not to exceed 10% of the mandatory class hours may be given toward absent class hours. Absences in excess of 10% of class hours shall be sufficient cause for failure of the course.

(Source: Amended at 15 Ill. Reg. 10416, effective July 1, 1991)

## Section 1450.250 Requirements for Minor in Real Estate (Renumbered)

(Source: Section 1450.250 renumbered to Section 1450.12, new Section adopted at 15 Ill. Reg. 10416, effective July 1, 1991)

## Section 1450.260 Qualification of Applicants Under 21 Years of Age (Repealed)

An applicant shall qualify to take the salesperson examination pursuant to Section 14 of the Act if the applicant has attained the age of eighteen (18) years and has successfully completed two (2) years of college, including the thirty (30) class hour (two (2) credit hours) Real Estate Transactions Course.

(Source: Repealed at 15 Ill. Reg. 10416, effective July 1, 1991)

## Section 1450.270 Educational Requirements for Reinstatement of License (Repealed)

If a real estate broker or salesperson has been on an inactive status as defined in Section 13 of the Act for a period of more than five (5) but less than seven (7) years of it the broker or salesperson license has expired or been suspended for a period of more than five (5) but less than seven (7) years, and the applicant desires to register on an active status, the applicant shall first be required to successfully complete within one year immediately prior to date of application an approved Refresher Course for License Reinstatement which shall consist of a minimum of fifteen (15) class hours (one (1) credit hour), or the Real Estate Transactions Course or the Advanced Real Estate



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~~Principles Course. Any license which has been on an inactive status for more than seven (7) consecutive years shall not be reinstated.~~

(Source: Repealed at 15 Ill. Reg. 10416, effective July 1, 1991.)

## Section 1450.275 Recruitment at Test Center

Recruitment at test facilities where the Illinois Real Estate Licensing Examination is being conducted is not permitted before, during, or after the examination

(Source: Added at 15 Ill. Reg. 10416, effective July 1, 1991.)

## Section 1450.280 Application for Approval of Schools

~~A school seeking the approval of the Department for teaching real estate courses in the State of Illinois shall submit its application on the official form designated by the Department. This form is available from the Department upon request.~~

- a) In accordance with Section 31 of the Act, a school seeking approval shall submit an application on forms provided by the Department along with the appropriate fee required in Section 15 of the Act. The Department shall, upon the recommendation of the Real Estate Administration and Disciplinary Board approve a school of real estate if it meets the following minimum requirements: ~~et cetera.~~

- 1) ~~A~~ ~~an~~ approved schools shall include ~~be one of~~ the following: ~~approved in accordance with this Section.~~

- A) ~~Colleges and Universities chartered by their state education authority;~~  
 B) ~~Private Real Estate Schools whether operated by corporations, community organizations or any other entity to meet the education requirements of applicants for real estate broker or salesperson license under the Act. (Referred to in Section 15(E) of the Act as Private, Business, or Vocational Real Estate Schools); or~~

- C) ~~Public Real Estate Schools approved by their state education authority, and supported by public taxes.~~

- 2) The program shall:

- A) ~~Be approved by Have the prior approval of~~ the school's governing and/or supervising body, except in the case of private real estate ~~vocational~~ schools;

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- B) ~~Maintain a separate fixed office in Illinois which is adequate for the maintenance of all records, office equipment, files, telephone equipment and office space necessary for customer service.~~

- C) ~~B)~~ Have a faculty all of whom meet the qualifications of subsection (b) (e) below;

- D) ~~C)~~ Have a curriculum which conforms to the standards of subsection (c) (d) below;

- E) ~~D)~~ Administer a minimum 100 question mandatory final examination as outlined in subsection (c)(6) (f) below;

- b) ~~An approved real estate school which is tax supported shall not utilize branch or extension locations at facilities maintained by real estate brokers.~~

## 3) Facilities

- A) A school must provide an office in Illinois or a bordering state for the maintenance of all records, office equipment and office space necessary for customer service.

- B) A school seeking approval of any classroom site shall furnish to the Department an affidavit setting forth the name of the owner of the premises to be utilized and a copy of the lease.

- C) The premises, equipment and facilities of the school shall comply with all applicable community fire codes, building codes, and health and safety standards.

- D) The school is subject to inspection prior to approval or thereafter by authorized representatives of the Department during regular business hours.

- E) No school shall be maintained in a private residence.

- F) Whenever an approved school operates a branch or extension location, then an application shall be filed for each branch or extension location. Each application shall be accompanied by the fee as required by Section 15 of the Act.

- G) No approved school shall allow the school premises or classrooms to be used during class time by anyone to directly or indirectly recruit new affiliates for any company. Instructors and school administrators shall promptly report to the Department any efforts to recruit students.

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## 4) Administration

- A) Instructors within an adult education, community education or vocational education program at any approved real estate school shall meet the criteria for approval as set forth in subsection (b).
- B) No approved school shall advertise that it is endorsed, recommended, or accredited by the Department. Such school, however, may indicate that the school and course of study has been approved by the Department.
- C) Before each approved real estate course is to begin, an approved school shall submit notice to the Department where the class is to be taught, title of the course, who is to instruct the class, date and time of the class and estimated class enrollment.
- D) The school shall provide the student with information which specifies the course of study to be offered; the tuition to be charged; the school's policy regarding refund of unearned tuition when a student is dismissed or withdraws voluntarily or through hardship; any additional fee to be charged for supplies, materials or books which become the property of the student upon payment; and such other matters as are material to the relationship between the school and the student (for example: cost of retaking a course, current status of licensure, any disciplinary action taken by the Department, attendance requirements).
- E) Each school shall maintain for each student a record which shall include the course of instruction undertaken, dates of attendance, and areas of study completed satisfactorily. Each student's record shall be maintained by the school for a period of 5 years and shall be available for inspection by the student or by the Department or its designee during regular business hours.
- F) Total tuition for any course of instruction offered by the school shall be the same for all students at any given time.
- G) An approved real estate school shall upon request give evidence of the financial resources available to equip and maintain the school documented by a current balance sheet, an income statement or any such similar evidence as required by the Department.
- H) The Department shall, upon an on-site inspection of an out-of-state school, be reimbursed by the school for all expenses incurred by the inspector in the course of inspection.

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- b) Qualifications of Instructors in Approved Schools. The approved school shall employ only instructors who have been approved by the Department and meet the following:
- 1) Except as provided in subsections (7) and (8) below, pass an examination approved by the Department with a minimum score of 70; and
  - 2) Holds a real estate broker's license for at least the last 3 years and has been engaged in active practice as an Illinois real estate broker; or
  - c) Qualifications of instructors in Approved Schools other than Colleges and Universities:---The approved school shall employ instructors who are experienced in the subject which they are teaching and possess the following minimum qualifications:
    - 1) Licensed real estate broker who is and for at least five (5) years last past continuously has been engaged in active practice as an Illinois real estate broker; or
    - 2) Is currently admitted to practice law by the Supreme Court of Illinois last past continuously has been engaged in the active practice of law in Illinois; or
    - 3) Is a properly credentialed instructor of real estate courses who is or has been engaged in the practice of teaching for at least 3 years; or as evidenced by a professional designation, such as but not limited to, a designated real estate instructor (DREI); or approved by a college or university's governing body to teach in a real estate degree program at a community college, college or university; or
    - 4) Is properly licensed or certificated to engage person who is engaged in the business of appraisal, finance and/or related real estate occupations and who is a member of a nationally recognized association in that field and for at least 3 five (5) years has been last past continuously engaged in such practice; or
    - 5) A person who, in the judgment of the Commissioner, is qualified by experience or education, or both, to supervise a course of study pursuant to the provisions of this Section. In determining whether a person is qualified to supervise a course of study under this Section, the Commissioner shall consider:
      - A) The individual's teaching experience;
      - B) The individual's real estate experience;



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- C) Any real estate, business or legal education of the individual;
- D) The results of a the personal interview with the individual.
- 2) Those instructors teaching in a college or university real estate degree program are subject to approval by the administrator of that program and are not required to meet the examination requirement.
- 8) Instructors approved on the effective date of this amendment are exempt from taking the examination as long as they maintain an active instructor's certificate and have no break in such active status greater than 5 years.
- 6) 2) A school seeking the approval of the Department for real estate instructors shall submit an application on forms provided by the Department and the appropriate fee. No person shall be utilized to teach a course of instruction unless he is approved by the Department to teach the course.
- 10) No approved instructor shall be seated for either the salesperson or broker licensure examination except for the purpose of securing a salesperson or brokers license.

(AGENCY NOTE: The administrator of the Real Estate Division in a College or University shall be responsible for the appointment of instructors in the selected real estate subjects.)

- d) c) Curricula. The Department of Professional Regulation shall set forth the curriculum for each approved course.

- 1) The school shall offer classroom instruction in the following subjects:

- A) Real Estate Transactions as outlined in subsection (3)(A) below;
- B) Advanced Real Estate Principles and Contracts and Conveyances as outlined in subsections (3)(B) and (C) below; and
- C) In addition to those listed in subsections (A) and (B) above, at least 3 optional courses as outlined in subsection (3) below shall be offered.

- 4) 2) The application of the school requesting approval shall include submit an outline of the content of the courses to be offered. Each outline shall make reference to the textbook used and other material related to the course or subject matter, and shall conform to the approved curricula outlines prepared by the Department.

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- 2) 3) Approved Courses shall ~~not~~ be taught in the following subjects and meet the minimum criteria set forth below:
- A) Real Estate Transactions shall include a minimum of 30 ~~thirty~~ (30) class hours. The course shall include instruction in real estate law, types of interest and ownership in real estate, home ownership, legal descriptions, titles, liens, taxes, encumbrances, listing, advertising, appraisal, finance, closings, and professional code of ethics.
- B) Advanced Real Estate Principles shall consist of a minimum of 15 class hours and shall be mandatory for all broker candidates. The course shall include instruction in Illinois real estate law and licensure, listings, title search, forms for closing, contract forms, and the broker-salesperson relationship.
- C) Contracts and Conveyances shall consist of a minimum of 15 class hours and shall be mandatory for all broker candidates. The course shall include instruction in deeds, fixtures, contracts, real estate closings, foreclosure and redemption, land use controls, landlord/tenant relationships, cooperatives and condominiums.
- B) D) Appraisal shall consist of include a minimum of 15 fifteen (15) class hours. The course shall include instruction in the appraisal process, real property and value, economic trends, depreciation, land value.
- C) E) Property Management shall consist of include a minimum of 15 fifteen (15) class hours. The course shall include instruction in fundamentals of tenant-management relationship, property modernization, property maintenance, leases, insurance, commercial property, industrial property, advertising.
- D) ~~Contracts and Conveyances shall include a minimum of fifteen (15) class hours and shall be mandatory for a broker. The course shall include instruction in deeds, fixtures, contracts, real estate closings, foreclosure and redemption, land use controls, landlord/tenant, cooperatives and condominiums.~~
- E) F) Financing shall consist of include a minimum of 15 fifteen (15) class hours. The course shall include instruction in types of financing, sources of financing, mortgages, mortgage documents, closing a mortgage, interest, liens, foreclosure, insurance, mortgage risk, principles of property value for mortgage credit, mortgage analysis, construction loans.



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- ~~F)~~ F) Sales and Brokerage shall consist of ~~include~~ a minimum of 15 fifteen (15) class hours. The course shall include instruction in qualifications and functions of a real estate broker; land utilization; appraisal principles and methods; office organization; selection, training and supervision of salespersons and office personnel; compensation of salesperson listings; prospects; real estate markets; financial control; and government regulations.
- ~~G)~~ G) Farm Property Management shall include a minimum of 15 fifteen (15) class hours. The course shall include instruction in inventorying assets, determining method of operation, tenants, budgeting, crop and livestock production, marketing, tax planning and depreciation, government programs and regulations, insurance and ethics.
- ~~H)~~ H) Real Property Insurance shall include a minimum of 15 fifteen (15) class hours. The course shall include instruction in risk, functions of insurance, insurance contracts, types and purposes of insurance.
- ~~I)~~ I) Advanced Real Estate Principles shall include a minimum of fifteen (15) class hours and shall be mandatory for brokers. The course shall include instruction in Illinois real estate law and licensure, listings, title search, forms for closing, contract forms, the broker-salesperson relationship.
- ~~J)~~ J) Refresher Course for License Reinstatement shall include a minimum of 15 fifteen (15) class hours. The course shall include instruction in current Illinois real estate law and rules, appraisals, contracts, open housing, transfer of title, leases, landlords/tenant, property management and real estate brokerage. Courses which may be substituted for this are Basic Transactions and Advanced Principles.
- ~~e)~~ e) The Department shall make available to the public upon request under the Freedom of Information Act (Supp. to Ill. Rev. Stat. 1989-1993, ch. 116, par. 201 et seq.) copies of curricula of any of the courses specified above.
- ~~f)~~ f) If additional elective courses are developed, they shall ~~must~~ be approved by the Department prior to implementation. Such courses shall be approved upon determination that the course is at least 15 clock hours in length and constitutes real estate related material.
- ~~g)~~ g) Examinations. Each course shall ~~must~~ end in a mandatory final examination for which the minimum pass rate shall be no less than 70%.

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- ~~h)~~ h) Changes in ownership, management and curriculum occurring subsequent to the approval of a program shall ~~must~~ be approved by the Department prior to implementation in order for approval to continue uninterrupted.
- ~~d)~~ d) The Department shall notify officials of the school in writing ~~within 15 days of its the Department's approval or disapproval of a real estate school; officials of the school will be so notified in writing.~~ In the event the school is disapproved, the reasons therefore will be detailed and the officials advised that the disapproval may be appealed by notifying the Department, in writing, within ten (10) days of the receipt of the disapproval.
- ~~i)~~ i) Withdrawal of Approval
- ~~1)~~ 1) The Department, upon written recommendation of the Real Estate Administration and Disciplinary Board, shall withdraw, suspend or place on probation the approval of the real estate school when the quality of the program fails to continue to meet the established criteria of an approved real estate school as set out in this Section or upon determination that the decision to approve the program was based upon false or deceptive information.
- ~~2)~~ 2) If the Board has reason to believe there has been any fraud, dishonesty, or lack of integrity in the furnishing of any documentation for the evaluation of a program on the part of any licensee, it shall refer such matter to the appropriate personnel for any disciplinary action which might be appropriate under the Real Estate License Act (Ill. Rev. Stat. 1987, ch. 116, par. 5801, et seq.).
- ~~3)~~ 3) An approved real estate school which does not maintain at least a forty percent (40%) passing rate of all students who take the licensure examination over a six (6) month period, either January through June or July through December, will be placed on a six (6) month probation. During the probation period, approval may be withdrawn if the school fails to maintain an average passing rate of at least forty percent (40%) of all students who take the licensure examination.
- ~~4)~~ 4) A real estate program whose approval is being reevaluated by the Department shall be given at least 30 days' written notice prior to any recommendation by the Board, and the officials in charge may either submit written comments or request a hearing before the Board.

(Source: Amended at 15 Ill. Reg. 104.16, effective July 1, 1991)

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## Section 1450.290 Withdrawal of Approval

- a) Upon written recommendation of the Real Estate Administration and Disciplinary Board, the Department shall withdraw, suspend or place on probation the approval of the real estate school when the quality of the program fails to continue to meet the established criteria as set forth in this Section or if approval of the school or program was based upon false or deceptive information.
- b) If the Board has reason to believe there has been any fraud, dishonesty, or lack of integrity in the furnishing of any documentation for the evaluation of a school or program, it shall refer such matter to the appropriate personnel for investigation and any disciplinary action which might be appropriate under the Act.
- c) An approved real estate school which does not maintain an average passing rate of at least 40% for all students who take the licensure examination for the first time over a 6 month period, either January through June or July through December, shall at the recommendation of the Real Estate Administration and Disciplinary Board, receive a written warning of noncompliance from the Department. Approval may be suspended, withdrawn or other disciplinary action taken in accordance with 68 Ill. Adm. Code 1110 if the school fails to maintain an average passing rate of at least 40% of all students who take the licensure examination for the first time over the next 6 month period.
- d) A probation period shall be further defined as a time during which an approved school cannot receive approval for any course additions or changes.
- e) A real estate program whose approval is being reconsidered shall be given at least 30 days written notice prior to any reconsideration by the Board. The officials in charge may either submit written comments or request a hearing before the Board.
- f) In the event the real estate license of the administrator of an approved school is suspended or revoked, the school approval shall automatically be rescinded.

(Source: Added at 15 Ill. Reg. 10416 effective July 1, 1991)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENT

## 1) The Heading of the Part: MEDICAL PAYMENT

2) Code Citation: 89 Ill. Adm. Code 140

3) Section Number: Adopted Action:  
140.17 Amendment

4) Statutory Authority: Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq. and 12-13)

5) Effective Date of Adopted Amendment: July 1, 1991

6) Does this rulemaking contain an automatic repeal date?  
Yes ☐ No ☒

7) Does this Adopted Amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: July 1, 1991

9) Notice of Proposal Published in Illinois Register:  
November 30, 1990 (14 Ill. Reg. 18982)

10) Has JCAR issued a Statement of Objections to this Adopted Amendment? No

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this Adopted Amendment replace an Emergency Amendment currently in effect? No

14) Are there any Amendments pending on this Part? Yes

Section Numbers Proposed Action Illinois Register Citation

140.3 Amendment April 19, 1991  
(15 Ill. Reg. 5585)

140.7 Amendment April 19, 1991  
(15 Ill. Reg. 5585)

140.11 Amendment May 10, 1991  
(15 Ill. Reg. 6949)

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Section Numbers	Proposed Action	Illinois Register Citation
140.71	New Section	December 21, 1990 (14 Ill. Reg. 20170)
140.460	Repealed	April 5, 1991 (15 Ill. Reg. 4903)
140.461	Repealed	April 5, 1991 (15 Ill. Reg. 4903)
140.462	Repealed	April 5, 1991 (15 Ill. Reg. 4903)
140.463	Repealed	April 5, 1991 (15 Ill. Reg. 4903)
140.465	Repealed	April 5, 1991 (15 Ill. Reg. 4903)
140.518	Amendment	July 5, 1991 (15 Ill. Reg. 9885 )
140.560	Amendment	April 19, 1991 (15 Ill. Reg. 5585)
140.561	Amendment	May 17, 1991 (15 Ill. Reg. 7482)
140.569	Amendment	June 14, 1991 (15 Ill. Reg. 8656)
140.646	Amendment	May 10, 1991 (15 Ill. Reg. 6949)

15) Summary and Purpose of Adopted Amendment: This rulemaking permits the Department to render a final decision calling for either suspension or termination in a quality of care case, independent of a peer review committee's recommended action.

16) Information and questions regarding this Adopted Amendment shall be directed to:

Name: Daniel Leikvold  
Office of the General Counsel

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

Address: Illinois Department of Public Aid  
Jesse B. Harris Building II  
100 South Grand Avenue East, 3rd Floor  
Springfield, Illinois 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendment begins on the next page:



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER d: MEDICAL PROGRAMSPART 140  
MEDICAL PAYMENT

## SUBPART A: GENERAL PROVISIONS

Section	
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 140.571 Fair Rental Value (FRV) Calculation  
 140.572 Total Capital Rate  
 140.573 Other Capital Provisions  
 140.574 Capital Costs for Rented Facilities  
 140.575 Newly Constructed Facilities (Repealed)  
 140.576 Renovations (Repealed)  
 140.577 Capital Costs for Rented Facilities (Renumbered)  
 140.578 Property Taxes  
 140.579 Specialized Living Centers  
 140.580 Mandated Capital Improvements  
 140.581 Qualifying as Mandated Capital Improvement  
 140.582 Cost Adjustments  
 140.583 Campus Facilities  
 140.584 Illinois Municipal Retirement Fund (IMRF)  
 140.590 Audit and Record Requirements  
 140.642 Screening Assessment for Long Term Care and  
 Alternative Residential Settings and Services  
 140.643 In-Home Care Program  
 140.645 Medical and In-Home Care For Disabled Persons Under  
 Age 21  
 140.646 Reimbursement for Developmental Training (DT)  
 Services for Individuals With Developmental  
 Disabilities Who Reside in Long Term Care (ICF and  
 SNF) and Residential (ICF/MR) Facilities  
 140.647 Description of Developmental Training (DT) Services  
 140.648 Determination of the Amount of Reimbursement for  
 Developmental Training (DT) Programs  
 140.649 Effective Dates of Reimbursement for Developmental  
 Training (DT) Programs  
 140.650 Certification of Developmental Training (DT)  
 Programs  
 140.651 Decertification of Day Programs  
 140.652 Terms of Assurances and Contracts  
 140.680 Effective Date Of Payment Rate  
 140.700 Discharge of Long Term Care Residents  
 140.830 Appeals of Rate Determinations  
 140.835 Determination of Cap on Payments for Long Term Care

## SUBPART F: MEDICAID PARTNERSHIP PROGRAM

Section  
 140.850 General Description  
 140.855 Definition of Terms  
 140.860 Covered Services  
 140.865 Sponsor Qualifications

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENT

Section  
 140.870 Sponsor Responsibilities  
 140.875 Department Responsibilities  
 140.880 Provider Qualifications  
 140.885 Provider Responsibilities  
 140.890 Payment Methodology  
 140.895 Contract Monitoring  
 140.896 Reimbursement For Program Costs (Active Treatment)  
 For Clients in Long Term Care Facilities For the  
 Developmentally Disabled (Recodified)

## SUBPART G: REIMBURSEMENT FOR NURSING COSTS FOR GERIATRIC FACILITIES

Section  
 140.900 Reimbursement For Nursing Costs For Geriatric  
 Residents in Group Care Facilities (Recodified)  
 140.901 Functional Areas of Needs (Recodified)  
 140.902 Service Needs (Recodified)  
 140.903 Definitions (Recodified)  
 140.904 Times and Staff Levels (Repealed)  
 140.905 Statewide Rates (Repealed)  
 140.906 Reconsiderations (Recodified)  
 140.907 Midnight Census Report (Recodified)  
 140.908 Times and Staff Levels (Recodified)  
 140.909 Statewide Rates (Recodified)  
 140.910 Referrals (Recodified)  
 140.911 Basic Rehabilitation Aide Training Program  
 (Recodified)  
 140.912 Interim Nursing Rates (Recodified)

## SUBPART H: ILLINOIS COMPETITIVE ACCESS AND REIMBURSEMENT EQUITY (ICARE) PROGRAM

Section  
 140.940 Illinois Competitive Access and Reimbursement Equity  
 (ICARE) Program (Recodified)  
 140.942 Definition of Terms (Recodified)  
 140.944 Notification of Negotiations (Recodified)  
 140.946 Hospital Participation in ICARE Program Negotiations  
 (Recodified)  
 140.948 Negotiation Procedures (Recodified)  
 140.950 Factors Considered in Awarding ICARE Contracts  
 (Recodified)  
 140.952 Closing an ICARE Area (Recodified)  
 140.954 Administrative Review (Recodified)  
 140.956 Payments to Contracting Hospitals (Recodified)  
 140.958 Admitting and Clinical Privileges (Recodified)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENT

Section  
140.960

Inpatient Hospital Care or Services by  
Non-Contracting Hospitals Eligible for Payment  
(Recodified)

140.962 Payment to Hospitals for Inpatient Services or Care  
not Provided under the ICARE Program (Recodified)

140.964 Contract Monitoring (Recodified)

140.966 Transfer of Recipients (Recodified)

140.968 Validity of Contracts (Recodified)

140.970 Termination of ICARE Contracts (Recodified)

140.972 Hospital Services Procurement Advisory Board  
(Recodified)

TABLE A Medichex Recommended Screening Procedures (Repealed)

TABLE B Health Service Areas

TABLE C Capital Cost Areas

TABLE D Schedule of Dental Procedures

TABLE E Time Limits for Processing of Prior Approval Requests

TABLE F Podiatry Service Schedule

TABLE G Travel Distance Standards

TABLE H Areas of Major Life Activity

TABLE I Staff Time and Allocation for Training Programs  
(Recodified)

TABLE J HSA Grouping

TABLE K Services Qualifying for 10% Add-On

TABLE L Services Qualifying for 10% Add-On to Surgical  
Incentive Add-On

AUTHORITY: Implementing Article III of the Illinois Health  
Finance Reform Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par.  
6503-1 et seq.) and implementing and authorized by Articles  
III, IV, V, VI, VII and Section 12-13 of the Illinois Public  
Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq., 4-1  
et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10,  
1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374,  
effective July 6, 1982; emergency amendment at 6 Ill. Reg.  
8508, effective July 6, 1982, for a maximum of 150 days;  
amended at 7 Ill. Reg. 681, effective December 30, 1982;  
amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at  
7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill.  
Reg. 8271, effective July 5, 1983; emergency amendment at 7  
Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150  
days; amended at 7 Ill. Reg. 8540, effective July 15, 1983;  
amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended  
at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory  
amendment at 7 Ill. Reg. 15047, effective October 31, 1983;  
amended at 7 Ill. Reg. 17358, effective December 21, 1983;

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amended at 8 Ill. Reg. 254, effective December 21, 1983;  
emergency amendment at 8 Ill. Reg. 580, effective January 1,  
1984, for a maximum of 150 days; recodified at 8 Ill. Reg.  
2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984;  
amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended  
at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8  
Ill. Reg. 6983, effective May 9, 1984; emergency amendment at 8 Ill.  
7258, effective May 16, 1984; emergency amendment at 8 Ill.  
Reg. 7910, effective May 22, 1984, for a maximum of 150 days;  
amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at  
8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment  
at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of  
150 days; amended at 8 Ill. Reg. 13343, effective July 17,  
1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984;  
Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141  
at 8 Ill. Reg. 16354; amended (by adding sections being  
codified with no substantive change) at 8 Ill. Reg. 17899;  
peremptory amendment at 8 Ill. Reg. 18151, effective September  
18, 1984; amended at 8 Ill. Reg. 21629, effective October 19,  
1984; peremptory amendment at 8 Ill. Reg. 21677, effective  
October 24, 1984; amended at 8 Ill. Reg. 22097, effective  
October 24, 1984; peremptory amendment at 8 Ill. Reg. 22155,  
effective October 29, 1984; amended at 8 Ill. Reg. 23218,  
effective November 20, 1984; emergency amendment at 8 Ill. Reg.  
23721, effective November 21, 1984, for a maximum of 150 days;  
amended at 8 Ill. Reg. 25067, effective December 19, 1984;  
emergency amendment at 9 Ill. Reg. 407, effective January 1,  
1985, for a maximum of 150 days; amended at 9 Ill. Reg. 2697,  
effective February 22, 1985; amended at 9 Ill. Reg. 6235,  
effective April 19, 1985; amended at 9 Ill. Reg. 8677,  
effective May 28, 1985; amended at 9 Ill. Reg. 9564, effective  
June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26,  
1985; emergency amendment at 9 Ill. Reg. 11403, effective June  
27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg.  
11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000,  
effective July 24, 1985; amended at 9 Ill. Reg. 12306,  
effective August 5, 1985; amended at 9 Ill. Reg. 13998,  
effective September 3, 1985; amended at 9 Ill. Reg. 14684,  
effective September 13, 1985; amended at 9 Ill. Reg. 15503,  
effective October 4, 1985; amended at 9 Ill. Reg. 16312,  
effective October 11, 1985; amended at 9 Ill. Reg. 19138,  
effective December 2, 1985; amended at 9 Ill. Reg. 19737,  
effective December 9, 1985; amended at 10 Ill. Reg. 238,  
effective December 27, 1985; emergency amendment at 10 Ill.  
Reg. 798, effective January 1, 1986, for a maximum of 150 days;  
amended at 10 Ill. Reg. 672, effective January 6, 1986; amended  
at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10  
Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill.



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## NOTICE OF ADOPTED AMENDMENT

Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg. 7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill. Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18808, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at 11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, 1987; amended at 12 Ill. Reg. 916, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140.912 and 140.912 and 140.912 Table I recodified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147.205 and 147.205 Table A and 147.205 Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September

## DEPARTMENT OF PUBLIC AID

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28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7025, effective April 13, 1989; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826,



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENT

effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; Section 140.569 withdrawn at 15 Ill. Reg. 1174; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

## SUPPORT B: MEDICAL PROVIDER PARTICIPATION/DRUG MANUAL

Section 140.17 Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program

- a) The final administrative decision issued in proceedings initiated pursuant to Section 140.16 may result in suspension for a specific time rather than termination if:
- 1) the Department's action is based exclusively on Section 140.16(a)(2); and
  - 2) the formal notification received by the Department from the appropriate licensing, certifying or authorizing agency expressly states that the vendor may be reinstated or obtain the necessary authorization in less than one year.
- b) The final administrative decision issued in proceedings initiated pursuant to Section 140.16 may result in suspension for a specific time rather than termination if:
- 1) the Department's action is based exclusively on Section 140.16(a)(7); and

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENT

- Section 140.17 Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program (Cont'd)
- 2) the Department's action is based in whole or in part on a report, opinion or recommendation of a committee consisting of the vendor's professional peers and the committee has recommended suspension and not termination.
  - e) In addition the final administrative decision issued in proceedings initiated pursuant to Section 140.16 may result in suspension for a specific time rather than termination if:
    - 1) the Department's action is based on any other subsection of Section 140.16; and
    - 2) the basis for the Department's decision was not that the vendor or an individual associated with the vendor was convicted of or pleaded guilty to a felony related to the Medical Assistance Program; and
    - 3) the Department determines that:
      - A) the seriousness or extent of the violations warrants suspension and not termination; and
      - B) the vendor had no prior history of violations of the Medical Assistance Program; and
      - C) the lesser sanction of suspension will be sufficient to remedy the problem created by the vendor's violations.

(Source: Amended at 15 Ill. Reg. 10468, effective July 1, 1991)

## ILLINOIS REGISTER

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF EMERGENCY ATTENDANCE

310.40	Amended	15 Ill. Reg. 4497 (March 29, 1991)
310.280	Amended	15 Ill. Reg. 4497 (March 29, 1991)
310.290	Amended	15 Ill. Reg. 4497 (March 29, 1991)
310.320	Amended	15 Ill. Reg. 4497 (March 29, 1991)
310. App. A, Table A	Amended	15 Ill. Reg. 4497 (March 29, 1991)
310. App. A, Table B	Amended	15 Ill. Reg. 4497 (March 29, 1991)
310. App. A, Table D	Amended	15 Ill. Reg. 4497 (March 29, 1991)
310. App. A, Table E	Amended	15 Ill. Reg. 4497 (March 29, 1991)
310. App. A, Table F	Amended	15 Ill. Reg. 4497 (March 29, 1991)
310. App. A, Table J	Amended	15 Ill. Reg. 4497 (March 29, 1991)
310. App. A, Table P	Amended	15 Ill. Reg. 4497 (March 29, 1991)
310. App. A, Table U	Amended	15 Ill. Reg. 4497 (March 29, 1991)
310.450	Amended	15 Ill. Reg. 5147 (April 12, 1991)
310.530	Amended	15 Ill. Reg. 5147 (April 12, 1991)
310.540	Amended	15 Ill. Reg. 5147 (April 12, 1991)
310. Appendix C	Amended	15 Ill. Reg. 5147 (April 12, 1991)
310. Appendix D	Amended	15 Ill. Reg. 5147 (April 12, 1991)
310.100	Amended	15 Ill. Reg. 6364 (May 3, 1991)
310.230	Amended	15 Ill. Reg. 6364 (May 3, 1991)
310.490	Amended	15 Ill. Reg. 6364 (May 3, 1991)

### 11) Statement of Statewide Policy Objectives:

This rulemaking does not affect local government units.

## ILLINOIS REGISTER

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF EMERGENCY AMENDMENTS

- |     |   |                                    |
|-----|---|------------------------------------|
| 1)  | The Heading of the Part: Pay Plan   |                                    |
| 2)  | The Code Citation: 80 Ill. Adm. Code 310  |                                    |
| 3)  | Section Number:   | Emergency Action:                  |
|     | 310.450   | Amended                            |
|     | 310.530   | Amended                            |
|     | 310.540   | Amended                            |
|     | 310. Appendix C   | Amended                            |
|     | 310. Appendix D   | Amended                            |
| 4)  | The specific statutory citation upon which the rule is based and authorized:  |                                    |
|     | Illinois Revised Statutes 1987, ch. 127, par. 63b108a(2)  |                                    |
| 5)  | The effective date of the rule:   | July 1, 1991                       |
| 6)  | If this emergency rule is to expire before the end of the 150 days period, please specify the date:   |                                    |
|     | The emergency amendment will extend to the full 150 days.   |                                    |
| 7)  | Date filed in Agency's principle office:  | July 1, 1991                       |
| 8)  | The reason for the emergency:   |                                    |
|     | This emergency filing to the Pay Plan is necessary to suspend increases under the Merit Compensation System for Fiscal Year 1992. These amendments are necessary in view of the austere budget conditions being experienced.  |                                    |
| 9)  | A Complete Description of the Subjects and Issues Involved:   |                                    |
|     | The Sections of 310.450, 310.530 and 310.540 are being modified to reflect the suspension of Merit Increases until further amendment. In Section 310. Appendixes C and D, the dates are being revised to reflect that the current salary ranges will continue into the new fiscal year. |                                    |
| 10) | Are there any proposed amendments pending to this part?   | Yes                                |
|     | Section Number  | Proposed Action                    |
|     | 310.30  | Amended                            |
|     |   | Ill. Reg. Citation                 |
|     |   | 15 Ill. Reg. 4497 (March 29, 1991) |

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF EMERGENCY AMENDMENTS

- 12) The name, address and telephone number of the person to whom information and questions regarding this adopted rule shall be directed to:

Mr. Michael Murphy  
Department of Central Management Services  
Division of Technical Services  
504 William G. Stratton Building  
Springfield, Illinois 62706

Telephone: (217) 782-5601

The full text of the Emergency Rule is as follows:

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF EMERGENCY AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES  
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND  
POSITION CLASSIFICATIONS  
CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310  
PAY PLAN

SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
310.110	Implementation of Pay Plan Changes, Effective July 1, 1990
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section	
310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Rate
310.240	Hourly Rate
310.250	Member, Patient and Innate Rate
310.260	Trainee Rate
310.270	Legislated and Contracted Rate
310.280	Designated Rate
310.290	Out-of-State or Foreign Service Rate
310.300	Education Rate
310.310	Physician Specialist Rate
310.320	Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections
310.330	Excluded Classes Rate (Repealed)



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF EMERGENCY AMENDMENTS

## SUBPART C: MERIT COMPENSATION SYSTEM

Section	Jurisdiction
310.410	Objectives
310.420	Responsibilities
310.430	Merit Compensation Salary Schedule
310.440	Procedures for Determining Annual Merit Increases
310.450	
EMERGENCY	
310.455	Intermittent Merit Increase
310.456	Merit Zone
310.460	Other Pay Increases
310.470	Adjustment
310.480	Decreases in Pay
310.490	Other Pay Provisions
310.500	Definitions
310.510	Conversion of Base Salary to Pay Period Units
310.520	Conversion of Base Salary to Daily or Hourly Equivalents
310.530	Implementation
EMERGENCY	
310.540	
EMERGENCY	
310.550	

Annual Merit Increase Guidechart for Fiscal Year 1991 1992

Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

Negotiated Rates of Pay

HR-190 (Department of Central Management Services - State of Illinois Building - SEIU)

HR-200 (Department of Labor - Chicago, Illinois - SEIU)

RC-069 (Firefighters, AFSOME)

HR-001 (Teamsters Local #726)

RC-020 (Teamsters Local #330)

RC-019 (Teamsters Local #25)

RC-045 (Automotive Mechanics, ISEA)

RC-006 (Corrections Employees, AFSOME)

RC-009 (Institutional Employees, AFSOME)

RC-014 (Clerical Employees, AFSOME)

RC-023 (Registered Nurses, INA)

VR-004 (Illinois State Treasurer's Office Employees, Teamsters and IFT)

RC-027 (Educators, AFSOME) (Repealed)

RC-027 (Physician Rates, AFSOME) (Repealed)

RC-028 (Paraprofessional Human Services Employees, AFSOME)

RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, ISEA)

RC-033 (Meat Inspectors, ISEA)

RC-042 (Residual Maintenance Workers, AFSOME)

TABLE A

TABLE B

TABLE C

TABLE D

TABLE E

TABLE F

TABLE G

TABLE H

TABLE I

TABLE J

TABLE K

TABLE L

TABLE M

TABLE N

TABLE O

TABLE P

TABLE Q

TABLE R

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF EMERGENCY AMENDMENTS

TABLE S	HR-012 (Fair Employment Practices Employees, SEIU)
TABLE T	HR-010 (Teachers of Deaf, IFT)
TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
TABLE V	CJ-500 (Corrections, Meet and Confer Employees)
TABLE W	RC-062 (Technical Employees, AFSOME)
TABLE X	RC-063 (Professional Employees, AFSOME)
TABLE Y	RC-063 (Educators, AFSOME)
TABLE Z	RC-063 (Physicians, AFSOME)

APPENDIX B Schedule of Salary Grades - Monthly and Annual Rates of Pay for Fiscal Year 1991

APPENDIX C Physician Administrator Rates and Medical Facilities

EMERGENCY Administrator Rates for Fiscal Year 1991 1992

APPENDIX D Merit Compensation System Salary Schedule for Fiscal Year 1991 1992

EMERGENCY Teaching Salary Schedule (Repealed)

APPENDIX E Physician and Physician Specialist Salary Schedule (Repealed)

APPENDIX F Implementing and authorized by Section 8a(2) of the Personnel Code (Ill. Rev. Stat. 1989, ch. 127, par. 63b108a(2)).

AUTHORITY: Implementing and authorized by Section 8a(2) of the Personnel Code (Ill. Rev. Stat. 1989, ch. 127, par. 63b108a(2)).

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of

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## NOTICE OF EMERGENCY AMENDMENTS

150 days; peremptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; peremptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; peremptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; peremptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; peremptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; peremptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; peremptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; peremptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; peremptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; peremptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13

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## NOTICE OF EMERGENCY AMENDMENTS

11. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; peremptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; peremptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990, for a maximum of 150 days; emergency amendment expired on February 1, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 15570, effective August 8, 1991; corrected at 14 Ill. Reg. 16092; peremptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days.



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## NOTICE OF EMERGENCY AMENDMENTS

Section 310.450 Procedures for Determining Annual Merit Increases  
Effective July 1, 1991, the provisions for salary increases normally  
allowed under Section 310.450 as set forth below are suspended. No  
increases can be granted under this provision until further amendment.

- a) An annual merit increase is an in-range salary adjustment for demonstrated performance.
- b) Eligibility for an annual merit increase shall be determined by the following conditions:
  - 1) Each employee will be eligible for a merit review after attaining 12 months creditable service. The employee's immediate supervisor shall prepare an Individual Development and Performance Evaluation form prior to the Performance Review Date, and discuss the results with the employee.
  - 2) Should the Individual Development and Performance review result in the employee not being eligible for an annual merit increase due to provisions of Section 310.450(d), or should the employee's base rate be at the maximum rate of pay of the salary range assigned to the employee's position, the employee will not be eligible for an annual merit increase until 12 months of additional creditable service has been accrued.
- c) Based upon the results of the Individual development and Performance Evaluation, the employees' immediate supervisor shall determine whether the employee's performance warrants or does not warrant an annual merit increase.

d) The amount of an annual merit increase recommendation shall be determined by use of the Merit Increase Guidechart of Section 310.540 if the employee's Individual Development and Performance Evaluation has on the Performance Review Date been evaluated at a Category 4 or higher level. An employee whose Individual Development and Performance Evaluation has, on the Performance Review Date been evaluated at Category 5 shall not receive an increase in the present base salary. However, in no event is the resulting salary to be lower than the minimum or higher than the maximum rate of pay of the respective salary range assigned to the employee's position.

- e) The employee's immediate supervisor shall prepare a performance Certification and Salary Increase Recommendation form indicating whether or not the employee is eligible for an annual merit increase and the amount thereof.

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- f) The employee's immediate supervisor shall forward the Individual Development and Performance Evaluation records and Performance Certification and Salary Increase Recommendation records to the agency head or a designated authority for review and approval.
- g) Annual merit increases in pay shall become effective the first day of the month in which the employee's Performance Review Date occurs.

(Source: Emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days)

## Section 310.530 Implementation

- a) The salary schedule for the Merit Compensation System for Fiscal Year 1991 1992 is increased and will continue as set forth in Appendix D of the Pay Plan.
- b) The Merit Increase Guidechart for Fiscal Year 1991 1992 is modified, effective July 1, 1991 to suspend Merit Increases until further amendment is set forth in Section 310.540 of the Pay Plan.

(Source: Emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days)

## Section 310.540 Annual Merit Increase Guidechart for Fiscal Year 1991 1992

Until further amendment, merit increases are suspended, effective July 1, 1991.

Category	Definition	Allowable Increase
Category 1	Superior	8---10% 0%
Category 2	Exceeds Expectations	5---8% 0%
Category 3	Meets Expectations	4---5% 0%
Category 4	Needs Improvement	0---4% 0%
Category 5	Unacceptable	0%

(Source: Emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days)



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Section 310. Appendix C - Physician Administrator Rates and Medical Facilities Administrator Rates for Fiscal Year 1991

Title	Minimum Salary	Midpoint Salary	Maximum Salary
Medical Facilities Administrator I Option C	5,965 71,580	7,171 86,052	8,377 100,524
Medical Facilities Administrator I Option D	6,662 79,944	7,898 94,776	9,134 109,608
Medical Facilities Administrator II Option C	6,446 77,352	7,671 92,052	8,896 106,752
Medical Facilities Administrator II Option D	7,403 88,836	8,676 104,112	9,949 119,388
Medical Facilities Administrator III	7,664 91,968	9,063 108,756	10,462 125,544
Medical Facilities Administrator IV	7,789 93,468	9,187 110,244	10,585 127,020
Medical Facilities Administrator V	7,914 94,968	9,312 111,744	10,710 128,520
Physician Administrator I	4,711 56,532	5,781 69,372	6,851 82,212
Physician Administrator II	4,837 58,044	5,935 71,220	7,033 84,396
Physician Administrator III	4,967 59,604	6,095 73,140	7,223 86,676
Physician Administrator IV	5,225 62,700	6,321 75,852	7,417 89,004
Physician Administrator V	5,549 66,588	6,531 78,372	7,513 90,156

The rates of pay for physicians occupying or appointed to a position in the Physician Administrator classes and the Medical Facilities Administrator classes shall be as listed in the above schedule. All

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## NOTICE OF EMERGENCY AMENDMENTS

provisions of Subpart C of the Pay Plan, Merit Compensation System will apply to Physician Administrator positions and the Medical Facilities Administrator classes positions.

(Source: Emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, 1991, for a maximum of 150 days)

Section 310. Appendix D - Merit Compensation System Salary Schedule for Fiscal Year 1991 1992

Salary Range	Minimum Salary	Midpoint Salary	Maximum Salary	Merit Pay Zone Limit
MC 1	\$ 1,580 18,960	2,013 24,156	2,446 29,352	2,568 30,816
MC 2	1,648 19,776	2,115 25,380	2,582 30,984	2,711 32,532
MC 3	1,727 20,724	2,237 26,844	2,747 32,964	2,884 34,608
MC 4	1,806 21,672	2,341 28,092	2,876 34,512	3,020 36,240
MC 5	1,895 22,740	2,477 29,724	3,059 36,708	3,212 38,544
MC 6	1,990 23,880	2,602 31,224	3,214 38,568	3,375 40,500
MC 7	2,097 25,164	2,760 33,120	3,423 41,076	3,594 43,128
MC 8	2,210 26,520	2,927 35,124	3,644 43,728	3,826 45,912
MC 9	2,336 28,032	3,089 37,068	3,842 46,104	4,034 48,408
MC 10	2,467 29,604	3,290 39,480	4,113 49,356	4,319 51,828
MC 11	2,606 31,272	3,491 41,892	4,376 52,512	4,595 55,140

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## NOTICE OF EMERGENCY AMENDMENTS

MC 12	2,767 33,204	3,725 44,700	4,683 56,196	4,917 59,004
MC 13	2,954 35,448	3,982 47,784	5,010 60,120	5,261 63,132
MC 14	3,160 37,920	4,275 51,300	5,390 64,680	5,660 67,920
MC 15	3,392 40,704	4,583 54,996	5,774 69,288	6,063 72,756
MC 16	3,631 43,572	4,924 59,088	6,217 74,604	6,528 78,336
MC 17	3,918 47,016	5,315 63,780	6,712 80,544	7,048 84,576
MC 18	4,223 50,676	5,553 66,636	6,883 82,596	7,227 86,724
MC 19	4,562 54,744	5,802 69,624	7,042 84,504	7,394 88,728

(Source: Emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days)

## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## NOTICE OF EMERGENCY AMENDMENTS

- 1) The Heading of the Part: Local Tourism and Convention Bureau Program
- 2) Code Citation: 14 Ill. Adm. Code 550
- 3) Section Numbers: 550.35  
Emergency Action: Amendments
- 4) Statutory Authority: Implementing Section 46.6a of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 46.6a) and Section 8.25 of "AN ACT in relation to State finance" (Ill. Rev. Stat. 1989 Supp., ch. 127, par. 144.25) and authorized by Section 46.20 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 46.20).
- 5) Effective Date of Rules: July 1, 1991
- 6) If these emergency amendments are to expire before the end of the 150-day period, please specify the date on which it is to expire: Not applicable.
- 7) Date filed in Agency's Principal Office: June 26, 1991.
- 8) Reason for Emergency: Section 46.6a of the Civil Administrative Code of Illinois (the Act) provides a statutory formula for allotting grant funds which is based on total population served and total grant funds available. The bureaus in conjunction with the Hotel-Motel Association have been working through the legislative process to retain the \$8 million in funding authorized by Section 8.25 of "AN ACT in relation to State finance". The department has now determined that these efforts will not be successful and that funding will in fact be decreased by \$3 million.

Another funding issue has arisen in addition to these budget cuts. Several bureaus have requested certification to service additional areas. Upon review of such requests, the department found that in some instances, the additional service areas had no apparent historic promotional relationship to the original service area and/or would result in a service area too large to be marketed by a local bureau. Such bureaus appear to be seeking to expand their areas solely to elevate their population figures for the purpose of gaining additional funds. If this is allowed, several bureaus that now effectively market their destinations would have their funds reduced even further. This could create serious economic problems for communities in their area. The department has therefore determined that this situation constitutes a threat to the public welfare.

Rulemaking is necessary to allow the department to distribute funds equitably throughout the State and to ensure the most effective use of limited program funds. Emergency rulemaking is necessary as the

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program year begins July 1st. This emergency rulemaking, published in conjunction with an identical proposed rulemaking, amends the eligibility requirements of applicants for certification or recertification to receive funds under the Local Tourism and Convention Bureau Program. This rulemaking provides department standards and criteria to be used in determining whether a bureau's service area should be expanded.

- 9) A Complete Description of the Subjects and Issues Involved: This rulemaking amends the eligibility requirements of applicants for certification or recertification to receive grant funds under the Local Tourism and Convention Bureau Program to provide department standards and criteria to be used in determining whether an applicant bureau's service area includes areas that have historically or geographically consistent tourism goals. This amendment will ensure that the department is able to distribute the total grant funds available throughout the State in a fair and equitable manner.

- 10) Are there any proposed amendments to this Part pending? No.

- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1989, ch. 85, par. 2203).

- 12) Information and questions regarding these amendments shall be directed to:

Mr. John D. Taylor, Deputy Director  
Department of Commerce and Community Affairs  
Bureau of Program Administration  
620 East Adams Street, 5th Floor  
Springfield, Illinois 62701  
(217) 782-6136

The full text of the emergency amendments begins on the next page:

## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## NOTICE OF EMERGENCY AMENDMENTS

TITLE 14: COMMERCE  
SUBTITLE C: ECONOMIC DEVELOPMENT  
CHAPTER I: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## PART 550

## LOCAL TOURISM AND CONVENTION BUREAU PROGRAM

Section	Purpose
550.10	Definitions
550.20	Formula for Allocation of Appropriations to Grantees
550.30	Eligible Applicants
550.35	Eligible Applicants
EMERGENCY	Program Requirements
550.40	Administrative Requirements
550.50	Administrative Requirements
550.60	Application Process

AUTHORITY: Implementing Section 46.6a of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 46.6a) and Section 8.25 of "AN ACT in relation to State finance" (Ill. Rev. Stat. 1989 Supp., ch. 127, par. 144.25) and authorized by Section 46.20 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 46.20).

SOURCE: Adopted at 9 Ill. Reg. 4775, effective April 4, 1985; amended at 12 Ill. Reg. 2226, effective January 19, 1988; amended at 14 Ill. Reg. 5091, effective March 20, 1990; emergency amendment at 14 Ill. Reg. 5565, effective March 28, 1990, for a maximum of 150 days; emergency expired August 25, 1990; amended at 14 Ill. Reg. 18746, effective November 9, 1990; amended at 15 Ill. Reg. 1798 effective January 29, 1991; emergency amendment at 15 Ill. Reg. 10498 effective July 1, 1991, for a maximum of 150 days.

NOTE: Capitalization denotes statutory language.

## Section 550.35 Eligible Applicants

## EMERGENCY

BUREAUS ELIGIBLE TO RECEIVE FUNDS ARE DEFINED AS THOSE BUREAUS IN LEGAL EXISTENCE AS OF JANUARY 1, 1985, WHICH ARE EITHER A UNIT OF LOCAL GOVERNMENT OR INCORPORATED AS A NOT-FOR-PROFIT ORGANIZATION, ARE AFFILIATED WITH ONE OR MORE MUNICIPALITY OR COUNTY, AND EMPLOY ONE FULL TIME (Section 46.6a(1) of the Act) paid, professional executive director/chief executive officer that devotes at least 35 hours per week to the development and growth of tourism within a bureau's region. In addition, the Department shall not certify or recertify a bureau with an expanded service area if the Department determines that the tourism objectives of the additional area do not correspond with the tourism objectives of the original bureau service area. In making this determination, the Department shall consider such factors as: the geographic size of the proposed expanded area, the historic promotional relationship between the existing bureau area and the proposed expanded area, and whether



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The proposed expanded area is currently serviced by another tourism entity.

(Source: Emergency Amendment at 15 Ill. Reg. 10498 effective July 1, 1991,  
for a maximum of 150 days)

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1) The Heading of the Part: HOSPITAL SERVICES

2) Code Citation: 89 Ill. Adm. Code 148

3) Section Numbers: Emergency Action:

148.340 Amendment  
148.360 Amendment  
148.370 Amendment  
148.380 Amendment  
148.390 Amendment

4) Statutory Authority: Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. (5-5.1 et seq. and 12-13))

5) Effective Date of Emergency Amendments: July 1, 1991

6) If these Emergency Amendments are to expire before the end of the 150-day period, please specify the date on which it is to expire: Not applicable

7) Date Filed in Agency's Principal Office: July 1, 1991

8) Reason for Emergency: The Department has determined that the health and safety of persons affected by this rulemaking would be adversely impacted absent immediate implementation.

9) A Complete Description of the Subjects and Issues Involved: This rulemaking effects changes in the Department's coverage of alcohol and substance abuse treatment services.

10) Are there any Proposed Amendments pending to this Part? No

11) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

12) Information and questions regarding these Emergency Amendments shall be directed to:

Name:

Daniel Leikvold, Staff Attorney  
Office of the General Counsel

## ILLINOIS REGISTER

## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

Address:

Illinois Department of Public Aid  
Jesse B. Harris Building II  
100 South Grand Avenue East, 3rd Floor  
Springfield, Illinois 62762

Telephone:

(217) 782-1233

The full text of the Emergency Amendments begins on the next page:

## ILLINOIS REGISTER

## DEPARTMENT OF PUBLIC AID

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TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER d: MEDICAL PROGRAMS

## PART 148

## HOSPITAL SERVICES

Section	
148.10	Hospital Services
148.20	Participation
148.30	General Requirements
148.40	Special Requirements
148.50	Covered Hospital Services
148.60	Hospital Services Not Covered
148.70	Limitation On Hospital Services
148.80	Transplants
148.90	Heart Transplants
148.100	Liver Transplants
148.110	Bone Marrow Transplants
148.120	Disproportionate Share Hospital Adjustments
148.130	Payment for Inpatient Services for GA
148.140	Hospital Outpatient and Clinic Services
148.150	Payment for Hospital Services During Fiscal Year 1982
148.160	Payment for Hospital Services During Fiscal Year 1983
148.170	Limits on Length of Stay by Diagnosis
148.180	Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting
148.190	Copayments
148.200	Payment Methodology
148.210	Non-Participating Hospitals
148.220	Pre July 1, 1989 Services
148.230	Post June 30, 1989 Services
148.240	Prepayment Review
148.250	Base Year Costs
148.260	Restructuring Adjustment
148.270	Inflation Adjustment
148.280	Groupings
148.290	Rate Calculation
148.300	Payment
148.310	Review Procedure
148.320	Alternatives
148.330	Exemptions
148.340	Subacute Alcoholism and Substance Abuse Services
<u>EMERGENCY</u>	
148.350	Definitions
148.360	Types of Subacute Alcoholism and Substance Abuse
<u>EMERGENCY</u>	Services

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## Section

148.370 Payment for Subacute Alcoholism and Substance Abuse  
EMERGENCY Services  
 148.380 Rate Appeals for Subacute Alcoholism and Substance  
EMERGENCY Abuse Services  
 148.390 Hearings  
EMERGENCY

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Sections 148.10 thru 148.390 recodified from 89 Ill. Adm. Code 140.94 thru 140.398 at 13 Ill. Reg. 9572; Section 148.120 recodified from 89 Ill. Adm. Code 140.110 at 13 Ill. Reg. 12118; amended at 14 Ill. Reg. 2553, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 11392, effective July 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 15358, effective September 13, 1990; amended at 14 Ill. Reg. 16998, effective October 4, 1990; amended at 14 Ill. Reg. 18293, effective October 30, 1990; amended at 14 Ill. Reg. 18499, effective November 8, 1990; emergency amendment at 15 Ill. Reg. 10502, effective July 1, 1991, for a maximum of 150 days.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 148.340 Subacute Alcoholism and Substance Abuse  
EMERGENCY Treatment Services

- a) Payment may be made for subacute alcoholism and other drug abuse treatment services provided by:
- 1) A provider licensed by the Illinois Department of Alcoholism and Substance Abuse under the provisions of 77 Ill. Adm. Code 2058.
  - 2) A provider licensed by the Illinois Department of Public Health under the provisions of 77 Ill. Adm. Code 250.2830(b) and (c).
  - 2 1/2) Psychiatrists for ancillary diagnostic services.
- b) Providers must be certified for participation by the Department of Alcoholism and Substance Abuse in accordance with 77 Ill. Adm. Code 2090.

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Section 148.340 Subacute Alcoholism and Substance Abuse  
EMERGENCY Treatment Services (Cont'd)

- c) Certified providers shall comply with all provisions of 77 Ill. Adm. Code 2090.
- d) Providers shall enroll for participation in the Medical Assistance Program as provided in 89 Ill. Adm. Code 140.11.

(Source: Emergency amendment at 15 Ill. Reg. 10502, effective July 1, 1991, for a maximum of 150 days)

Section 148.360 Types of Subacute Alcoholism and Substance  
EMERGENCY Treatment Abuse Services

The specific types of subacute services for which payment can be made are:

- a) Outpatient treatment - the provision of face to face diagnostic and individual, group, or family treatment on a scheduled or non-scheduled basis to an individual who in the clinical judgment of a qualified treatment professional is experiencing a problem with alcohol and/or drugs (for example, family, social, financial, employment, educational, and/or legal). These services shall be delivered in accordance with an individual treatment plan recommended by a physician. Services shall include, but not be limited to assessment, evaluation, diagnosis, and subsequent individual, group, or family counseling, case coordination, aftercare, and follow-up. Outpatient services may be provided in a recipient's place of residence or other off-site location when required because of illness, disability, or infirmity and documented in the recipient's treatment plan.
- b) Intensive Outpatient Treatment Services
  - 1) The provision of diagnostic and individual or group treatment on a scheduled-only basis to an individual who in the clinical judgment of a qualified treatment professional is experiencing a problem with alcohol and/or drugs (for example, family, social, financial, employment, educational, and/or legal). These services shall be delivered in accordance with an individual's treatment plan recommended by a physician.



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Section 148.360 Types of Subacute Alcoholism and Substance  
EMERGENCY Treatment Abuse Services (Cont'd)

- 2) Intensive outpatient treatment is a structured program offered a minimum of four days or evenings per week, includes a minimum of 20 hours of treatment services per recipient per week, and must occur in a licensed subacute setting (see 77 Ill. Adm. Code 2058). Treatment services shall include, but are not limited to assessment, evaluation, diagnosis, and subsequent individual, group or family counseling, education, case coordination, aftercare, and follow-up. This programmatic scope is required unless a specific waiver has been granted by the licensing authority.

- c) Detoxification - the provision of immediate physiological stabilization, diagnosis, and short term treatment (for example, up to five days) on a non-scheduled basis to an individual who is, in the clinical judgment of the qualified treatment professional in accordance with 77 Ill. Adm. Code 2058, intoxicated or experiencing withdrawal from the ingestion of alcohol and other drugs, but whose physical and emotional condition does not require the intensity of an acute care setting. Services are provided in accordance with an individual treatment plan recommended by a physician when rendered in a licensed short term residential setting, for the treatment of intoxication or withdrawal from ingestion of alcohol, or in a licensed subacute hospital setting (see 89 Ill. Adm. Code 250), or under the direction of a physician to individuals under age 21 by a psychiatric facility or an inpatient program in a psychiatric facility, either of which is accredited by the Joint Commission on Accreditation of Health Care Organizations, and is also a licensed as a subacute residential setting (see 77 Ill. Adm. Code 2058). Services must and shall include, but are not limited to assessment, evaluation, diagnosis, determination of need for more specialized medical care, rest under close observation, individual counseling, case coordination and subsequent referral, room and board, meals, and staff supervision.

- d) Ancillary diagnostic services - Psychiatric evaluations performed by a psychiatrist to determine whether an individual's primary condition is

## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

Section 148.360 Types of Subacute Alcoholism and Substance  
EMERGENCY Treatment Abuse Services (Cont'd)

attributable to the effects of an ingested substance or to a diagnosed psychiatric or psychological disorder. Ancillary services may be provided in a licensed treatment facility (see 77 Ill. Adm. Code 2058) or in the psychiatrist's office.

- e) Residential Rehabilitation - The provision of diagnostic services and individual or group treatment on a scheduled-only residential basis in accordance with an individual treatment plan recommended by a physician in a licensed subacute hospital setting (see 89 Ill. Adm. Code 250), or under the direction of a physician to individuals under age 21 by a psychiatric facility or an inpatient program in a psychiatric facility, either of which is accredited by the Joint Commission on Accreditation of Health Care Organizations, and is also licensed as a subacute residential setting (see 77 Ill. Adm. Code 2058). This service is designed to reduce or eliminate, through a controlled milieu, an individual's intake of alcohol and/or other substances. Residential rehabilitation must be delivered in accordance with an individual treatment plan recommended by a physician. Services must include, but are not limited to assessment, evaluation, diagnosis, and subsequent individual, group, or family counseling, education, case coordination, aftercare and follow-up. Residential rehabilitation is a structured residential program offered seven days per week and includes a minimum of 25 hours of treatment activities per client per week. Individuals experiencing active psychotic illnesses which requires immediate acute medical or psychiatric care, should not be admitted to residential rehabilitation. In addition, the individual shall not be intoxicated, incapacitated due to the effects of alcohol or other drugs, or in withdrawal.

(Source: Emergency amendment at 15 Ill. Reg. 10502, effective July 1, 1991, for a maximum of 150 days)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

Section 148.370 Payment for Subacute Alcoholism and Substance Abuse Treatment Services  
EMERGENCY

- a) The amount approved for payment for alcoholism and substance abuse treatment is based on the type and amount of services required by and actually delivered to a recipient. The amount is determined in accordance with prospective rates developed by the Department of Alcoholism and Substance Abuse and approved and adopted by the Department of Public Aid (see 77 Ill. Adm. Code 2090.70). The adopted rate shall not exceed the charges to non-recipients.
- b) Rates are generated through the application of formal methodologies specific to each category, are cost-based, and individually established for each service category at each provider.
  - 1) Outpatient services shall be reimbursed at an all-inclusive per client hour rate payable to the nearest quarter hour. Such services are defined as face-to-face counseling with a diagnosed client. No more than three client hours shall be reimbursed for any recipient during a 24 hour period. No more than two of those hours may be reimbursed for group treatment.
  - 2) Intensive outpatient services shall be reimbursed at an all-inclusive per diem rate; a client day is defined as a minimum of four hours per 24 hour period. No more than one client day shall be reimbursed for any recipient during any 24 hour period.
  - 3) Residential rehabilitation services shall be reimbursed at an all-inclusive per diem rate. No more than one client day shall be reimbursed for any recipient during any 24 hour period.
  - 4) Detoxification services shall be reimbursed at an all-inclusive per diem rate. However, admissions less than twelve hours in length shall have a per episode rate.
  - 5) Ancillary diagnostic services shall be reimbursed on a per encounter basis to practitioners at the practitioner's usual and customary charge, not to exceed the maximum established by the Department in accordance with 89 Ill. Adm. Code 140.400.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

Section 148.370 Payment for Subacute Alcoholism and Substance Abuse Treatment Services (Cont'd)  
EMERGENCY

- 6) ~~Payment~~ The Department shall not be made to ~~reimburse~~ a provider for more than one covered subacute alcoholism or substance abuse treatment service per day except for ancillary services which may be reimbursed in addition to one of the other covered services.

(Source: Emergency amendment at 15 Ill. Reg. 10502, effective July 1, 1991, for a maximum of 150 days)

Section 148.380 Rate Appeals for Subacute Alcoholism and Substance Abuse Treatment Services  
EMERGENCY

- a) Providers may appeal their rates, but must do so within 30 days of the postmark date of the rate notice.
- b) Rate may be appealed pursuant to 77 Ill. Adm. Code 2090.
- c) Appeals shall be submitted in writing to the Illinois Department of Public Aid, Division of Medical Programs.
- d) The Department of Public Aid shall refer the appeal to the Department of Alcoholism and Substance Abuse for analysis of the appeal's basis, and substance. Further clarification of the information submitted may be requested of the agency. The Department of Alcoholism and Substance Abuse shall prepare a recommendation for the Department of Public Aid which shall make the final administrative decision based upon the appeal's conformity with 77 Ill. Adm. Code 2090.80.
- e) The provider will be notified of the appeal decision in writing within 60 days of the receipt of the written appeal.
- f) Depending upon the result of the decision on the appeal, any change in the reimbursement rate may be retroactive to the beginning of the rate year or to the date of the program change within affected rate year that serves as the basis for the rate appeal.

(Source: Emergency amendment at 15 Ill. Reg. 10502, effective July 1, 1991, for a maximum of 150 days)

## DEPARTMENT OF PUBLIC AID

## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

## NOTICE OF EMERGENCY AMENDMENTS

Section 148.390 Hearings  
EMERGENCY

Section 148.390 Hearings (Cont'd)  
EMERGENCY

a) The Department and the Department of Alcoholism and Substance Abuse (DASA) may jointly initiate administrative proceedings pursuant to 89 Ill. Adm. Code Part 104, Subpart C, to suspend or terminate certification and eligibility to participate in the Illinois Medical Assistance Program where the provider:

- 1) Has failed to comply with 77 Ill. Adm. Code 2090.40(a)(2); 2090.40(b)(2); 2090.40(c)(2); or 2090.40(d), and/or
- 2) Has failed to comply with 77 Ill. Adm. Code 2090.110(b)(2), and/or
- 3) Does not have a valid license for an enrolled treatment service category issued by the appropriate licensing authority, and/or
- 4) Any of the grounds for payment recovery or termination set forth in 89 Ill. Adm. Code 140.15 or 140.16 are present.

b) When a proceeding is initiated against providers of alcoholism or substance abuse services, the Department and DASA, jointly, shall notify the provider of the intended action(s). Notice, service and proof of service shall be in accordance with the "Rules of Practice For Medical Vendor Administrative Proceedings" (89 Ill. Adm. Code 104: Subpart C).

c) All hearings held pursuant to these rules shall be conducted by an attorney designated by the Director of the Department as a hearing officer and said hearing shall be conducted under and governed by the applicable "Rules of Practice For Medical Vendor Administrative Proceedings" promulgated by the Department (Ill. Adm. Code 104: Subpart C).

d) The hearing officer shall prepare a written report of the case which shall contain findings of fact and recommended decisions with regard to the issues of certification and participation in the Medicaid Program. The Director of DASA shall make a final determination regarding certification, which shall be in writing and forwarded to the Director of IDPA. The Director of the Department shall then make a final

decision concerning participation in the Medicaid Program, based on the findings of fact, the recommended decision and the final certification determination by DASA. A final administrative decision shall be issued in writing and contain findings of fact and the final determinations concerning certification and participation in the Medicaid Program. A copy of the decision shall be served on each party.

e) The Department may initiate proceedings on its own against providers of alcoholism and substance abuse services pursuant to 89 Ill. Adm. Code 140.15 or 140.16.

(Source: Emergency amendment at 15 Ill. Reg. 10502, effective July 1, 1991, for a maximum of 150 days)



## DEPARTMENT OF CONSERVATION

## NOTICE OF PUBLIC HEARING ON PROPOSED RULES

1) HEADING OF THE PART: White-Tailed Deer Hunting by Use of Bow and Arrow

2) CODE CITATION: 17 Ill. Adm. Code 670

3) REGISTER CITATION TO NOTICE OF PROPOSED RULES:

15 Ill. Reg. 10255 ; July 12, 1991

4) DATE, TIME AND LOCATION OF PUBLIC HEARING:

Wednesday, August 14, 1991  
1:00 p.m. - 9:00 p.m.  
Clock Tower Resort  
Rockford, Illinois

5) OTHER PERTINENT INFORMATION: All expert testimony and exhibits must be submitted in writing to the Hearing Officer on the date of the hearing. Persons wishing to testify may do so at any time during the hearing on a "walk-in" basis. Testimony shall be limited to White-Tailed Deer Hunting by Use of Bow and Arrow at Rock Cut State Park. In addition, the Divisions of Lands, Law Enforcement and Wildlife will have tables staffed by Division personnel to answer questions.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

1) Heading of the Part:

Emergency Medical Services Code

2) Code Citation:

77 Ill. Adm. Code 535

3) Register Citation to Notice of Proposed Amendments:

15 Ill. Reg. 8120 (May 31, 1991)

4) Date, Time and Location of Public Hearing:

10:00 a.m.  
July 24, 1991  
State of Illinois Center  
Illinois Department of Public Health  
6th Floor - Room 654  
100 West Randolph Street  
Chicago, Illinois 60601

6) Other Pertinent Information:

The hearing will be for the sole purpose of gathering public comment on the proposed amendments. Persons interested in presenting testimony at this hearing are advised that the Department will adhere to the following procedures in the conduct of the hearing.

1. Each person presenting oral testimony shall provide to the hearing officer a written (preferably typed) copy of such testimony at the time the oral testimony is presented. No oral testimony will be accepted without a written copy of the testimony being provided.
2. Each person presenting oral testimony will be limited to fifteen (15) minutes for the presentation of such testimony.
3. No person will be recognized to speak for a second time until all persons wishing to testify have done so. All testimony shall conclude at the specific times except that an individual in the midst of presenting testimony shall be allowed to complete his/her testimony.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of June 26, 1991 through July 2, 1991, and have been scheduled for review by the Committee at its July 23, 1991 meeting. Other items not contained in this published list may also be considered by the Committee at its July meeting. Members of the public wishing to express their views with respect to a proposed rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 509 South Sixth Street, Room 500, Springfield, IL 62701.

Second Notice Expires	Agency and Rule	Start of First Notice	Scheduled for Consideration by JCAR
8/12/91	Department of Public Aid, Medical Assistance Programs (89 Ill. Adm. Code 120)	5/10/91 15 Ill. Reg. 6937	July 23, 1991
8/12/91	Illinois Student Assistance Commission, Limitation, Suspension, or Termination Proceedings (23 Ill. Adm. Code 2790)	4/5/91 15 Ill. Reg. 5034	July 23, 1991
8/12/91	Pollution Control Board, New Source Performance Standards; Repeal of (35 Ill. Adm. Code 230)	1/25/91 15 Ill. Reg. 741	July 23, 1991
8/12/91	Pollution Control Board, Visible and Particulate Matter Emissions (35 Ill. Adm. Code 212)	1/25/91 15 Ill. Reg. 791	July 23, 1991
8/12/91	Pollution Control Board, Permits and General Provisions (35 Ill. Adm. Code 201)	1/25/91 15 Ill. Reg. 780	July 23, 1991
8/12/91	Pollution Control Board, Organic Material Emission Standards and Limitations (35 Ill. Adm. Code 215)	1/25/91 15 Ill. Reg. 768	July 23, 1991
8/12/91	Pollution Control Board, Hazardous Air Pollutants; Repeal of (35 Ill. Adm. Code 231)	1/25/91 15 Ill. Reg. 730	July 23, 1991

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSECOND NOTICES RECEIVED  
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Second Notice Expires	Agency and Rule	Start of First Notice	Scheduled for Consideration by JCAR
8/12/91	Department of Transportation, Inspection, Repair and Maintenance (92 Ill. Adm. Code 396)	5/10/91 15 Ill. Reg. 7003	July 23, 1991
8/12/91	Department of Transportation, Driving of Motor Vehicles (92 Ill. Adm. Code 392)	5/10/91 15 Ill. Reg. 6994	July 23, 1991
8/12/91	Department of Transportation, Hours of Service of Drivers (92 Ill. Adm. Code 395)	5/10/91 15 Ill. Reg. 6997	July 23, 1991
8/12/91	Department of Transportation, Driving and Parking (92 Ill. Adm. Code 397)	5/10/91 15 Ill. Reg. 6991	July 23, 1991
8/12/91	Department of Transportation, Parts and Accessories Necessary for Safe Operation (92 Ill. Adm. Code 393)	5/10/91 15 Ill. Reg. 7022	July 23, 1991
8/12/91	Department of Transportation, Qualifications of Drivers (92 Ill. Adm. Code 391)	5/10/91 15 Ill. Reg. 7026	July 23, 1991
8/12/91	Department of Transportation, Motor Carrier Safety Regulations: General (92 Ill. Adm. Code 390)	5/10/91 15 Ill. Reg. 7008	July 23, 1991
8/15/91	Department of Conservation, White-Tailed Deer Hunting Season by Use of Muzzleloading Rifles (17 Ill. Adm. Code 660)	5/10/91 15 Ill. Reg. 6851	July 23, 1991
8/15/91	Department of Conservation, The Taking of Wild Turkeys-Fall Gun Season (17 Ill. Adm. Code 715)	5/10/91 15 Ill. Reg. 6842	July 23, 1991
8/15/91	Department of Conservation, The Taking of Wild Turkeys - Fall Archery Season (17 Ill. Adm. Code 720)	5/10/91 15 Ill. Reg. 6836	July 23, 1991

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYJOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSECOND NOTICES RECEIVED  
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Second Notice Expires	Agency and Rule	Start of First Notice	Scheduled for Consideration by JCAR
8/15/91	Pollution Control Board, Organic Material Emission Standards and Limitations for the Chicago Area (35 Ill. Adm. Code 218)	3/15/91 15 Ill. Reg. 3675	July 23, 1991
8/15/91	Pollution Control Board, Organic Material Emission Standards and Limitations for the Metro East Area (35 Ill. Adm. Code 219)	3/15/91 15 Ill. Reg. 3892	July 23, 1991
8/15/91	Pollution Control Board, Organic Material Emission Standards and Limitations (35 Ill. Adm. Code 215)	3/15/91 15 Ill. Reg. 3659	July 23, 1991
8/16/91	Department of Professional Regulation, Medical Practice Act of 1987 (68 Ill. Adm. Code 1285)	5/10/91 15 Ill. Reg. 6888	July 23, 1991
8/16/91	Illinois Racing Board, Over/Under Rules (11 Ill. Adm. Code 419)	5/10/91 15 Ill. Reg. 6976	July 23, 1991
8/16/91	Illinois Racing Board, Pick Four and Pick Five Rules (11 Ill. Adm. Code 416)	5/10/91 15 Ill. Reg. 6979	July 23, 1991
8/16/91	Illinois Racing Board, Pick N Wagering Pool (11 Ill. Adm. Code 438)	5/10/91 15 Ill. Reg. 6982	July 23, 1991
8/16/91	Illinois Racing Board, PPT Rules (11 Ill. Adm. Code 418)	5/10/91 15 Ill. Reg. 6985	July 23, 1991
8/16/91	Illinois Racing Board, Pick Six Rules (11 Ill. Adm. Code 417)	5/10/91 15 Ill. Reg. 6988	July 23, 1991

SECOND NOTICES RECEIVED  
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Second Notice Expires	Agency and Rule	Start of First Notice	Scheduled for Consideration by JCAR
8/16/91	Department of Public Aid, Medical Assistance Programs (89 Ill. Adm. Code 120)	5/17/91 15 Ill. Reg. 7468	July 23, 1991
8/16/91	Department of Public Aid, Aid to the Aged, Blind or Dis- abled (89 Ill. Adm. Code 113)	5/17/91 15 Ill. Reg. 7444	July 23, 1991



## ILLINOIS REGISTER

## PROCLAMATION

91-322

## OVEREATERS ANONYMOUS WEEK

Whereas, Overeaters Anonymous (OA) is a non-profit organization that helps people recover from compulsive overeating through use of the 12-step recovery program originated by Alcoholics Anonymous; and

Whereas, OA originated in 1960 in Los Angeles with only 3 members and has since grown to include some 150,000 members in 60 countries throughout the world; and

Whereas, each year a major OA convention is held to celebrate freedom from food obsession, with people attending from every state in our nation, every province of Canada, and many other foreign countries;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 19-25, 1991, as OVEREATERS ANONYMOUS WEEK in Illinois.

Issued by the Governor June 24, 1991.

Filed with the Secretary of State July 1, 1991.

91-323

## "R&amp;D 100 AWARDS DAY"

Whereas, R&D Magazine, a Cahners publication based in Des Plaines, has for the past 28 years presented the "R&D 100 Awards" for the 100 most technologically significant new products or processes of the years; and

Whereas, the "R&D 100 Awards" are renowned within the international scientific and high technology community as being among the highest honors to be achieved in applied research; and

Whereas, R&D Magazine will present the "R&D 100 Awards" for the 29th consecutive year September 19, 1991, at the Museum of Science & Industry in Chicago;

Therefore, I, Jim Edgar, Governor of the State of Illinois,

proclaim September 19, 1991, as "R&D 100 AWARDS DAY" in Illinois.

Issued by the Governor June 24, 1991.

Filed with the Secretary of State July 1, 1991.

91-324

## ARABIAN HORSE WEEK

Whereas, Illinois is rapidly becoming one of the nation's leading states for breeding and exhibiting Arabian horses; and

Whereas, the Region XI Arabian Horse Show will be held at the Illinois State Fairgrounds July 3-7, 1991; and

Whereas, because of its excellent horse show facilities and central U.S. location, our state fairgrounds have been chosen as a permanent regional site; and

## ILLINOIS REGISTER

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Whereas, during this year's show, entertainer and horse breeder Wayne Newton will present Oakbrook resident and Arabian exhibitor Sandra K. Goeken with a Supreme Legion of Merit Award for her horse WN Waysata + + +;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 30-July 6, 1991, as ARABIAN HORSE WEEK in Illinois.

Issued by the Governor June 25, 1991.

Filed with the Secretary of State July 1, 1991.

91-325

## KEY CLUB INTERNATIONAL CONVENTION WEEK

Whereas, Key Club International, a high school organization sponsored by Kiwanis International, is holding its 48th International Key Club Convention; and

Whereas, Key Club International members are part of an organization of more than 135,000 students dedicated to serve their schools and communities, emphasizing life's human and spiritual aspects rather than material values; and

Whereas, Key Club International members promote high standards in scholastics, sportsmanship, and social contacts and the development of a more concerned citizenship; and

Whereas, club members have helped build better communities by making their motto, "Caring...Our Way of Life"; and

Whereas, each member donates at least 50 hours of service to his or her home, school, and community annually; and

Whereas, the 1990-1991 Key Club International theme and Major Emphasis Program, "Renew Your Commitment," aims to increase awareness of present social conditions and focuses on the fundamental ideal of Key Clubs building better futures;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 30-July 6, 1991, as KEY CLUB INTERNATIONAL CONVENTION WEEK in Illinois.

Issued by the Governor June 25, 1991.

Filed with the Secretary of State July 1, 1991.

# ICAR - Joint Committee on Administrative Rules

## ACTION CODES

A - Adopted Rule	P - Proposed Rule
AR - Adopted Repealer	PF - Prohibited Filing Ordered by ICAR
C - Notice of Corrections	PP - Peremptory or Court ordered Rules
CC - Codification Changes	PR - Proposed Repealer
E - Emergency Rule	R - Refusal to meet ICAR objection
ER - Emergency Repealer	RC - Statement of Recommendation
M - Modification to meet ICAR objections	S - Suspension ordered by ICAR
O - ICAR Statement of Objections	W - Withdrawal to meet ICAR objections

### EXAMPLE:

#### AGRICULTURE, DEPARTMENT OF

8 Ill. Adm. Code 285	Ill. Grain Insurance Act (P-18048/85; A-6818)				
TITLE	PART	ACTION CODE	PAGE NUMBER	ACTION CODE	PAGE NUMBER
			PREVIOUS VOLUME		

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

#### ABANDONED MINED LANDS RECLAMATION COUNCIL

62 Ill. Adm. Code 2501 Abandoned Mined Lands Reclamation (P-141; A-6513)

#### AGING, DEPARTMENT ON

89 Ill. Adm. Code 240 Community Care Program (E-2838; A-10351) (P-18635/90; A-10351)

#### AGRICULTURE, DEPARTMENT OF

8 Ill. Adm. Code 255 Agricultural Facilities (E-128)  
 8 Ill. Adm. Code 270 Ill. State Fair & DuQuoin State Fair, Non-Fair Space Rental and the General Operation of the State Fairgrounds (P-10965/90; A-455)  
 8 Ill. Adm. Code 125 Meat & Poultry Inspection Act (PP-620; W-1574) (P-1583) (PP-8714) (P-1583; A-8801)  
 2 Ill. Adm. Code 700 Organizational Chart, Description, Rulemaking Procedure, & Programs (A-6105)  
 8 Ill. Adm. Code 290 Standardbred & Thoroughbred Horse Breeding & Racing Programs (P-19087/90; A-5207)

#### ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF

77 Ill. Adm. Code 2030 Award & Monitoring of Funds (P-9083)  
 77 Ill. Adm. Code 2031 Award Criteria & Procedure (PR-9149)  
 77 Ill. Adm. Code 2030 Fiscal & Programmatic Requirements (PR-9153)  
 77 Ill. Adm. Code 2058 Licensure of Alcoholism & Substance Abuse Treatment, Intervention & Research Programs (P-6457/90; A-2597) (P-8837)  
 77 Ill. Adm. Code 2090 Substance Alcoholism & Substance Abuse Treatment Services (P-9785; E-10212)  
 77 Ill. Adm. Code 2032 Suspension & Termination of Financial Assistance (PR-9218)

# ASBESTOS ABATEMENT AUTHORITY, ILLINOIS

2 Ill. Adm. Code 2650 Organization, rulemaking & Public Information (A-2660)

## ATTORNEY GENERAL

14 Ill. Adm. Code 475 Motor Vehicle Advertising (P-6343)

## AUDITOR GENERAL

74 Ill. Adm. Code 420 Code of Regs. (P-15645/90; A-3429)

## BANKS AND TRUST COMPANIES, COMMISSIONER OF

38 Ill. Adm. Code 307 Acquisition of Former Main Banking Premises or Branches of Eligible Depository Institutions (P-3611)  
 38 Ill. Adm. Code 354 Administration of Collateral Obtained in Collection of a Debt (P-3614)  
 38 Ill. Adm. Code 397 Corporate Fiduciary Receivership Account (P-15181/90; A-167)  
 38 Ill. Adm. Code 350 Loan Agreements Providing for a Bank to Share in Profits, Income or Earnings (P-2053)

## CARNIVAL-AMUSEMENT SAFETY BOARD

56 Ill. Adm. Code 6000 Carnival & Amusement Ride Inspection Law (P-2989/90; A-4109)

## CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF

80 Ill. Adm. Code 303 Conditions of Employment (P-4801) (E-5076) (P-17399/90; A-5214)  
 89 Ill. Adm. Code 1300 Day Care (P-5141)  
 80 Ill. Adm. Code 310 Pay Plan (PP-663) (P-14657/90; A-3296) (P-15186/90; A-4401) (P-4497; W-5920) (PP-5100) (P-5147) (PP-5465) (P-6364) (E-10485)  
 44 Ill. Adm. Code 5030 Personal Use of State Telephones (P-1203; A-8843)  
 44 Ill. Adm. Code 5040 State Vehicles & Garage (P-17403/90; A-7553)

## CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

89 Ill. Adm. Code 431 Confidentiality of Personal Information of Persons Served by the Dept. (P-4303/90; A-24)  
 89 Ill. Adm. Code 335 Relative Home Placement (P-8415)  
 89 Ill. Adm. Code 300 Reports of Child Abuse and Neglect (P-8735)

## COMMERCE COMMISSION, ILLINOIS

92 Ill. Adm. Code 1311 Commodity Group Definitions (P-4195)  
 83 Ill. Adm. Code 756 Dual Party Relay Service (P-18675/90; A-5618)  
 83 Ill. Adm. Code 280 Procedures for Gas, Electric, Water & Sanitary Sewer Utilities Governing Eligibility for Service, Deposits, Payment Practices & Discontinuance of Service (G.O. #172) (P-9801)  
 83 Ill. Adm. Code 220 Reports of Accidents by Telecommunications Carriers & by Fixed Public Utilities Other Than Pipelines Transporting Liquids (P-15653/90; A-5056)  
 83 Ill. Adm. Code 780 Right-of-Way Precondemnation Negotiations by Telephone Companies (P-13'00/90; A-5062)  
 83 Ill. Adm. Code 285 Standard Filing Requirements for Electric, Gas, Water & Sewer Utilities & Telecommunications Carriers in Filing for an Increase in Rates (P-9807)  
 83 Ill. Adm. Code 730 Standards of Service for Local Exchange Telecommunications Carriers (P-1627)  
 83 Ill. Adm. Code 755 Standards of Service for Telephone Utilities (G.O. 197) (PR-1650)  
 83 Ill. Adm. Code 757 Telecommunications Access for the Hearing & Voice Impaired (P-19109/90; A-5624)  
 83 Ill. Adm. Code 710 Telephone Assistance Programs (PR-4803; ER-5082; RC-5111)  
 92 Ill. Adm. Code 1308 Uniform System of Accounts for Telecommunications Carriers (P-20565/90; A-8205) Unlawful Operations (P-8097)

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 14 Ill. Adm. Code 510 Promotion Act Programs (P-13072/90; A-2673) (P-677; A-8848)  
 14 Ill. Adm. Code 570 Ill. Small Business Development Program (P-4528; A-9902)



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- 14 Ill. Adm. Code 550 Local Tourism & Convention Bureau Program (P-8782/90; A-1798) (P-10249; E-10498)
- 47 Ill. Adm. Code 100 Residential Energy Assistance Partnership Program (P-15189/90; O-1575; R-2603; A-3437)
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- 47 Ill. Adm. Code 110 State Administration of the Federal Community Development Block Grant Program for Small Cities (P-10985/90; O-19076/90; R-3127 A-4410)
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- 74 Ill. Adm. Code 285 Claim Eligible to be Offset (P-17139/90; A-5070)
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91-279	Jane Addams Resource Corporation Week	8730
91-280	Pride Week	8731
91-281	Rehabilitation Facilities Week	8731
91-282	Kenneth Kiesler Day	8732
91-283	Sydney R. Marovitz Day	8732
91-284	Safe Boating Week	9073
91-285	ECC Music Workshop Days	9073
91-286	Fraternal Week	9073
91-287	Thomas Armstead, Barbara Petrilli, and Firefly, Inc. Commended	9074
91-288	Blood Donor Awareness Month	9074
91-289	East Central Illinois Business Appreciation Week	9075
91-290	Illinois Law Enforcement Explorer Week	9075
91-291	McCrack Week	9076
91-292	Midwest Regional Center for Drug Free Schools Conference Days	9077
91-293	R.J. Grunts	9077
91-294	Special Olympics Adopt-A-Cop Month	9078
91-295	U.S.S. Liberty Memorial Day	9078
91-296	Alfred Eisenstaedt Week	9079
91-297	Legal Assistance Day	9079
91-298	Disabled American Veterans Days	9080
91-299	Honoring Elders Week	9080
91-300	Tom and Ellen Cuculich Day	9776
91-301	Coal Awareness Week	9776
91-302	Commends Dennis Hlasatel/90th Anniversary	9777
91-303	Grand Ole Opry Day	9777
91-304	Ohio River Sweep Day	9777
91-305	"Real Men Cook For Chicago Charities Day"	9778
91-306	Child Support Enforcement Awareness Week	9778
91-307	Hispanic Evangelical Youth Week	9779
91-308	Lowden and Neva Pankey Day	9779
91-309	Rainbow Week	9780
91-310	Thomas S. Johnson Day	9780
91-311	Uri Bar-Ner Day	9780
91-312	USPTA's Across America Tennis Day	9781
91-313	Black Expo Week	9782
91-314	World Champion Chicago Bulls Day	9782
91-315	Leo Melamed Day	9783
91-316	Cheer-Leadership Week	10246
91-317	Day Against Drug Abuse & Illicit Trafficking	10246
91-318	Air Force Communications Day	10246
91-319	Illinois Agricultural Youth Institute Week	10247
91-320	Marek Piotrowski Day	10247
91-321	WIC Week	10248
91-322	Overeaters Anonymous Week	10519
91-323	"R&D 100 Awards Day"	10519
91-324	Arabian Horse Week	10519
91-325	Key Club International Convention Week	10520

The Sections Affected Index lists, by Title, each Section of a codified Part on which rulemaking activity has occurred in this volume of the Register and is divided into two parts: the first lists the Sections on which rulemaking activity occurred in the previous issues of this volume year; the second lists the Sections on which rulemaking activity occurred in this issue of the Register. (The headings at the top of each page indicate the two parts: the first part shows the previous issue numbers inclusively and the date of the last published issue; the second lists the current issue number and date.) The columns in both parts indicate the type of rulemaking activity and the action taken along with the page number on which the first page of the notice of rulemaking activity appeared. If a Section on which action is being taken in the current volume (calendar year) of the Register was proposed in a previous volume, the last two digits of the previous volume's year appear immediately after the page number separated by a slash. (e.g. 1 Ill. Adm. Code 100.280 was proposed last year and adopted this year. The action entry reads: (P-8577/89; A-724) The codes for both columns are listed below. For a complete listing of the Title of the *Illinois Administrative Code*, please refer to 1 Ill. Adm. Code 100.140 or contact the Administrative Code Division.

TYPE OF RULEMAKING		ACTION CODES	
am	= amendment to existing Section	A	= Adopted rule
cc	= codification changes	C	= Correction
n	= new Section	CC	= Codification Changes
r	= repeal of existing Section	E	= Emergency rule
rc	= reclassified	F	= Failure to Remedy Objections
#	= renumbered	M	= Modification
		O	= ICAR Objection
		P	= Proposed rule
		PF	= Prohibited Filing
		PP	= Peremptory rule
		R	= Refusal to Modify or Withdraw
		RC	= ICAR Recommendation
		S	= Suspended rule
		W	= Withdrawal of Proposed rule

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TITLE 1		TITLE 2		TITLE 3		TITLE 4	
100.100	am	(P-7522)	am	2650.410	n	(A-2660)	
100.110	am	(P-7522)	am	2650.11.A	n	(A-2660)	
100.150	am	(P-7522)	am	2650.11.B	n	(A-2660)	
100.180	am	(P-7522)	am				
100.220	am	(P-7522)	am				
100.230	am	(P-7522)	am				
100.240	am	(P-7522)	am				
100.260	am	(P-7522)	am				
100.270	am	(P-7522)	am				
100.280	am	(P-7522)	am				
100.310	am	(P-7522)	am				
100.335	am	(P-7522)	am				
100.340	am	(P-7522)	am				
100.350	am	(P-7522)	am				
100.400	am	(P-7522)	am				
100.450	am	(P-7522)	am				
100.500	am	(P-7522)	am				
100.510	am	(P-7522)	am				
100.545	am	(P-7522)	am				
100.550	am	(P-7522)	am				
100.640	am	(P-7522)	am				
100.660	am	(P-7522)	am				
100.670	am	(P-7522)	am				
100.680	am	(P-7522)	am				
100.735	am	(P-7522)	am				
100.740	am	(P-7522)	am				
100.900	am	(P-7522)	am				
100.1010	am	(P-7522)	am				
100.1020	am	(P-7522)	am				
100.1100	am	(P-7522)	am				
100.1150	am	(P-7522)	am				
100.1200	am	(P-7522)	am				
100.1210	am	(P-7522)	am				
TITLE 2							
700.40	am	(A-6105)	am				
700.100	am	(A-6105)	am				
700.130	am	(A-6105)	am				
700.140	am	(A-6105)	am				
700.150	am	(A-6105)	am				
2025.120	n	(A-7897)	n				
2375.110	am	(A-1571)	am				
2650.10	n	(A-2660)	n				
2650.20	n	(A-2660)	n				
2650.30	n	(A-2660)	n				
2650.40	n	(A-2660)	n				
2650.50	n	(A-2660)	n				
2650.60	n	(A-2660)	n				
2650.100	n	(A-2660)	n				
2650.200	n	(A-2660)	n				
2650.205	n	(A-2660)	n				
2650.210	n	(A-2660)	n				
2650.220	n	(A-2660)	n				
2650.300	n	(A-2660)	n				
2650.310	n	(A-2660)	n				
2650.311	n	(A-2660)	n				
2650.312	n	(A-2660)	n				
2650.313	n	(A-2660)	n				
2650.314	n	(A-2660)	n				
2650.320	n	(A-2660)	n				
2650.330	n	(A-2660)	n				
2650.340	n	(A-2660)	n				
2650.400	n	(A-2660)	n				

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TITLE 8 (CONT'D)							
125.310	am	(PP-620; W-1574) (P-1583; A-8801)	1408.90	am	(P-16843/90; A-5745)		
125.320	am	(PP-620; W-1574) (P-1583; A-8801)	1413.48	am	(P-12385/90; A-2730)		
125.330	am	(PP-620; W-1574) (P-1583; A-8801)	1424.140	n	(P-10691/90; A-20545/90; C-2044)		
125.340	am	(PP-620; W-1574) (P-1583; A-8801)	1424.355	am	(P-19690/90; W-1173)		
TITLE 14							
125.350	am	(PP-620; W-1574) (P-1583; A-8801)	475.110	n	(P-6343)		
125.360	am	(PP-620; W-1574) (P-1583; A-8801)	475.210	n	(P-6343)		
125.370	am	(PP-620; W-1574) (P-1583; A-8801)	475.220	n	(P-6343)		
125.380	am	(PP-620; W-1574) (P-1583; A-8801)	475.230	n	(P-6343)		
125.390	am	(PP-620; W-1574) (P-1583; A-8801)	475.240	n	(P-6343)		
125.400	am	(PP-620; W-1574) (P-1583; A-8801)	475.250	n	(P-6343)		
125.410	am	(PP-620; W-1574) (P-1583; A-8801)	475.260	n	(P-6343)		
125.420	am	(PP-620; W-1574) (P-1583; A-8801)	475.310	n	(P-6343)		
125.430	am	(PP-620; W-1574) (P-1583; A-8801)	475.320	n	(P-6343)		
125.440	am	(PP-620; W-1574) (P-1583; A-8801)	475.330	n	(P-6343)		
125.450	am	(PP-620; W-1574) (P-1583; A-8801)	475.340	n	(P-6343)		
125.460	am	(PP-620; W-1574) (P-1583; A-8801)	475.350	n	(P-6343)		
125.470	am	(PP-620; W-1574) (P-1583; A-8801)	475.360	n	(P-6343)		
125.480	am	(PP-620; W-1574) (P-1583; A-8801)	475.370	n	(P-6343)		
125.490	am	(PP-620; W-1574) (P-1583; A-8801)	475.380	n	(P-6343)		
125.500	am	(PP-620; W-1574) (P-1583; A-8801)	475.390	n	(P-6343)		
125.510	am	(PP-620; W-1574) (P-1583; A-8801)	475.410	n	(P-6343)		
125.520	am	(PP-620; W-1574) (P-1583; A-8801)	475.420	n	(P-6343)		
125.530	am	(PP-620; W-1574) (P-1583; A-8801)	475.510	n	(P-6343)		
125.540	am	(PP-620; W-1574) (P-1583; A-8801)	475.520	n	(P-6343)		
125.550	am	(PP-620; W-1574) (P-1583; A-8801)	475.530	n	(P-6343)		
125.560	am	(PP-620; W-1574) (P-1583; A-8801)	475.540	n	(P-6343)		
125.570	am	(PP-620; W-1574) (P-1583; A-8801)	475.550	n	(P-6343)		
125.580	am	(PP-620; W-1574) (P-1583; A-8801)	475.560	n	(P-6343)		
125.590	am	(PP-620; W-1574) (P-1583; A-8801)	475.570	n	(P-6343)		
125.600	am	(PP-620; W-1574) (P-1583; A-8801)	475.580	n	(P-6343)		
125.610	am	(PP-620; W-1574) (P-1583; A-8801)	475.590	n	(P-6343)		
125.620	am	(PP-620; W-1574) (P-1583; A-8801)	475.610	n	(P-6343)		
125.630	am	(PP-620; W-1574) (P-1583; A-8801)	475.620	n	(P-6343)		
125.640	am	(PP-620; W-1574) (P-1583; A-8801)	475.630	n	(P-6343)		
125.650	am	(PP-620; W-1574) (P-1583; A-8801)	475.640	n	(P-6343)		
125.660	am	(PP-620; W-1574) (P-1583; A-8801)	475.650	n	(P-6343)		
125.670	am	(PP-620; W-1574) (P-1583; A-8801)	475.710	n	(P-6343)		
125.680	am	(PP-620; W-1574) (P-1583; A-8801)	475.720	n	(P-6343)		
125.690	am	(PP-620; W-1574) (P-1583; A-8801)	510.10	am	(P-677; A-8848)		
125.700	am	(PP-620; W-1574) (P-1583; A-8801)	510.20	am	(P-677; A-8848)		
125.710	am	(PP-620; W-1574) (P-1583; A-8801)	510.40	am	(P-677; A-8848)		
125.720	am	(PP-620; W-1574) (P-1583; A-8801)	510.60	am	(P-677; A-8848)		
125.730	am	(PP-620; W-1574) (P-1583; A-8801)	510.70	am	(P-677; A-8848)		
125.740	am	(PP-620; W-1574) (P-1583; A-8801)	510.85	am	(P-677; A-8848)		
125.750	am	(PP-620; W-1574) (P-1583; A-8801)	510.110	n	(A-8848)		
125.760	am	(PP-620; W-1574) (P-1583; A-8801)	510.120	n	(P-13072/90; A-2673)		
125.770	am	(PP-620; W-1574) (P-1583; A-8801)	510.130	n	(P-13072/90; A-2673)		
125.780	am	(PP-620; W-1574) (P-1583; A-8801)	510.140	n	(P-13072/90; A-2673)		
125.790	am	(PP-620; W-1574) (P-1583; A-8801)	510.150	n	(P-13072/90; A-2673)		
125.800	am	(PP-620; W-1574) (P-1583; A-8801)	510.160	n	(P-13072/90; A-2673)		
125.810	am	(PP-620; W-1574) (P-1583; A-8801)	510.170	n	(P-13072/90; A-2673)		
125.820	am	(PP-620; W-1574) (P-1583; A-8801)	510.175	n	(P-13072/90; A-2673)		
125.830	am	(PP-620; W-1574) (P-1583; A-8801)	510.180	n	(P-13072/90; A-2673)		
125.840	am	(PP-620; W-1574) (P-1583; A-8801)	510.185	n	(P-13072/90; A-2673)		
125.850	am	(PP-620; W-1574) (P-1583; A-8801)	510.190	n	(P-13072/90; A-2673)		
125.860	am	(PP-620; W-1574) (P-1583; A-8801)	510.195	n	(P-13072/90; A-2673)		
125.870	am	(PP-620; W-1574) (P-1583; A-8801)	510.200	n	(P-13072/90; A-2673)		
125.880	am	(PP-620; W-1574) (P-1583; A-8801)	510.205	n	(P-13072/90; A-2673)		
125.890	am	(PP-620; W-1574) (P-1583; A-8801)	520.315	am	(P-13060/90; A-8683)		
125.900	am	(PP-620; W-1574) (P-1583; A-8801)	520.740	am	(P-13060/90; A-8683)		

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TITLE 14 (CONT'D)							
520.800	r	(P-13060/90; A-8683)	640.200	n	(P-13391/90; A-7558)		
520.810	r	(P-13060/90; A-8683)	640.210	n	(P-13391/90; A-7558)		
520.820	r	(P-13060/90; A-8683)	640.220	n	(P-13391/90; A-7558)		
520.830	r	(P-13060/90; A-8683)	640.230	n	(P-13391/90; A-7558)		
520.900	am	(P-9787)	640.240	n	(P-13391/90; A-7558)		
520.910	am	(P-13060/90; A-8683)	640.260	n	(P-13391/90; A-7558)		
520.930	am	(P-9787)	640.270	n	(P-13391/90; A-7558)		
520.990	am	(P-13060/90; A-8683)	640.280	n	(P-13391/90; A-7558)		
520.1010	am	(P-9787)	640.290	n	(P-13391/90; A-7558)		
520.1100	n	(P-9787)	640.300	n	(P-13391/90; A-7558)		
520.1110	n	(P-9787)	640.310	n	(P-13391/90; A-7558)		
520.1120	n	(P-9787)	640.320	n	(P-13391/90; A-7558)		
520.1130	n	(P-9787)	640.330	n	(P-13391/90; A-7558)		
520.1140	n	(P-11022/90; A-973)	640.340	n	(P-13391/90; A-7558)		
540.110	n	(P-11022/90; A-973)	640.350	n	(P-13391/90; A-7558)		
540.130	n	(P-11022/90; A-973)	1220.100	n	(P-8747)		
540.140	n	(P-11022/90; A-973)	1220.110	n	(P-8747)		
540.140	n	(P-11022/90; A-973)	1220.120	n	(P-8747)		
540.150	n	(P-11022/90; A-973)	1220.130	n	(P-8747)		
540.160	n	(P-11022/90; A-973)	1220.140	n	(P-8747)		
540.170	n	(P-11022/90; A-973)	1220.150	n	(P-8747)		
540.180	n	(P-11022/90; A-973)	1220.160	n	(P-8747)		
540.190	n	(P-11022/90; A-973)	1220.200	n	(P-8747)		
545.315	am	(P-3620)	1220.210	n	(P-8747)		
545.320	am	(P-3620)	1220.220	n	(P-8747)		
545.325	am	(P-3620)	1220.230	n	(P-8747)		
545.330	am	(P-3620)	1220.240	n	(P-8747)		
545.345	am	(P-3620)	1220.250	n	(P-8747)		
545.350	am	(P-3620)	1220.300	n	(P-8747)		
545.355	am	(P-3620)	1220.310	n	(P-8747)		
545.360	am	(P-3620)	1220.320	n	(P-8747)		
550.20	am	(P-8782/90; A-1798)	1220.330	n	(P-8747)		
550.30	am	(P-8782/90; A-1798)	1220.400	n	(P-8747)		
550.35	am	(P-8782/90; A-1798)	1220.410	n	(P-8747)		
550.40	am	(P-8782/90; A-1798)	1220.500	n	(P-8747)		
550.50	am	(P-8782/90; A-1798)	1220.510	n	(P-8747)		
570.10	am	(P-4528; A-9902)	1220.520	n	(P-8747)		
570.20	am	(P-4528; A-9902)					
570.25	am	(P-4528; A-9902)	TITLE 17				
570.30	am	(P-4528; A-9902)	115.30	am	(P-3365; A-9948)		
570.40	am	(P-4528; A-9902)	220.20	am	(P-16182/90; A-1495)		
570.50	am	(P-4528; A-9902)	220.30	am	(P-16182/90; A-1495)		
570.60	am	(P-4528; A-9902)	220.40	am	(P-16182/90; A-1495)		
570.70	am	(P-4528; A-9902)	220.50	am	(P-16182/90; A-1495)		
640.5	n	(P-13391/90; A-7558)	220.60	am	(P-16182/90; A-1495)		(P-9233)
640.10	n	(P-13391/90; A-7558)	220.70	am	(P-16182/90; A-1495)		
640.20	n	(P-13391/90; A-7558)	510.10	am	(P-4829; A-9966)		
640.30	n	(P-13391/90; A-7558)	525.10	am	(P-18397/90; A-4149)		
640.40	n	(P-13391/90; A-7558)	525.20	n	(P-18397/90; A-4149)		
640.50	n	(P-13391/90; A-7558)	525.30	n	(P-18397/90; A-4149)		
640.60	n	(P-13391/90; A-7558)	525.40	n	(P-18397/90; A-4149)		
640.70	n	(P-13391/90; A-7558)	525.50	n	(P-18397/90; A-4149)		
640.80	n	(P-13391/90; A-7558)	525 Ex. A	n	(P-18397/90; A-4149)		
640.90	n	(P-13391/90; A-7558)	530.20	n	(P-4805; A-9924)		
640.100	n	(P-13391/90; A-7558)	530.80	am	(P-4805; A-9924)		
640.110	n	(P-13391/90; A-7558)	530.90	am	(P-4805; A-9924)		
640.120	n	(P-13391/90; A-7558)	530.100	am	(P-4805; A-9924)		
640.130	n	(P-13391/90; A-7558)	530.105	am	(P-4805; A-9924)		
640.140	n	(P-13391/90; A-7558)	530.110	am	(P-4805; A-9924)		
640.150	n	(P-13391/90; A-7558)	530.120	am	(P-4805; A-9924)		
640.160	n	(P-13391/90; A-7558)	530.10	am	(P-6823)		
640.170	n	(P-13391/90; A-7558)	530.20	am	(P-6823)		
640.180	n	(P-13391/90; A-7558)	530.30	am	(P-6823)		
640.190	n	(P-13391/90; A-7558)	570.20	am	(P-6811)		



TITLE 17 (CONT'D)

570.30	am	(P-6811)	810.30	r	(P-18905/90; A-4699)
570.40	am	(P-6811)	810.35	n	(P-18905/90; A-4699)
570.10	am	(P-7809)	810.37	am	(P-8101)
590.20	am	(P-7809)	810.40	n	(P-18905/90; A-4699)
590.25	am	(P-7809)	810.45	r	(P-18905/90; A-4699)
590.30	am	(P-7809)	810.45	am	(P-18905/90; A-4699)
590.40	am	(P-7809)	810.50	am	(P-5160; A-9977) (E-5430)
590.50	am	(P-7809)	810.55	am	(P-18905/90; A-4699)
590.60	am	(P-7809)	810.70	am	(P-18905/90; A-4699)
590.66	am	(P-7809)	830.05	n	(P-2057; RC-8314; A-8544)
590.66	am	(P-7809)	830.20	am	(P-2057; RC-8314; A-8544)
650.10	am	(P-4853; A-10038)	830.60	am	(P-2057; RC-8314; A-8544)
650.20	am	(P-4853; A-10038)	830.70	am	(P-2057; RC-8314; A-8544)
650.22	am	(P-4853; A-10038)	830.80	am	(P-2057; RC-8314; A-8544)
650.23	am	(P-4853; A-10038)	830.90	am	(P-2057; RC-8314; A-8544)
650.30	am	(P-4853; A-10038)	950.40	am	(P-6807)
650.40	am	(P-4853; A-10038)	950.50	am	(P-6807)
650.60	am	(P-4853; A-10038)	1070.20	am	(P-7855)
660.10	n	(P-19123/90; A-4777)	1535.10	am	(P-20117/90; A-5219)
660.10	am	(P-6851)	1590.50	am	(P-16174/90; A-32)
660.20	am	(P-6851)	1590.80	am	(P-16174/90; A-32)
660.21	am	(P-6851)	2520.50	am	(P-16174/90; A-32)
660.25	am	(P-6851)	2550.10	am	(P-16174/90; A-32)
660.25	am	(P-6851)	3035.10	am	(P-725; A-7653)
660.30	am	(P-6851)	3035.30	am	(P-3655; A-9973)
660.30	am	(P-6851)	3035.40	am	(P-18365/90; A-4117)
660.40	am	(P-6851)	3035.50	am	(P-18365/90; A-4117)
660.40	am	(P-6851)	3035.60	am	(P-18365/90; A-4117)
660.45	am	(P-6851)	3035.70	am	(P-18365/90; A-4117)
660.50	am	(P-6851)	3040.A.P.	am	(P-18380/90; A-4132)
660.60	am	(P-6851)	3040.A.P.	am	(P-18380/90; A-4132)
670.10	am	(P-4836; A-10021)	3040.A.P.	am	(P-18380/90; A-4132)
670.20	am	(P-4836; A-10021)	3040.A.P.	am	(P-18380/90; A-4132)
670.30	am	(P-4836; A-10021)	3040.A.P.	am	(P-18380/90; A-4132)
670.40	am	(P-4836; A-10021)	3040.A.P.	am	(P-18380/90; A-4132)
670.60	am	(P-4836; A-10021)	4160.10	n	(P-1680)
680.10	n	(P-8107)	4160.20	n	(P-1680)
680.20	n	(P-8107)	4160.30	n	(P-1680)
680.30	n	(P-8107)	4160.40	n	(P-1680)
680.40	n	(P-8107)	4160.50	n	(P-1680)
680.50	n	(P-8107)	4160.60	n	(P-1680)
680.60	n	(P-8107)	4160.70	n	(P-1680)
680.70	n	(P-8107)	4160.80	n	(P-1680)
690.20	am	(P-4214; A-10012)	4160.90	n	(P-1680)
690.30	am	(P-4214; A-10012)	4160.100	n	(P-1680)
710.10	am	(P-18409/90; A-4161)	4160.110	n	(P-1680)
710.20	am	(P-18409/90; A-4161)	4160.120	n	(P-1680)
710.30	am	(P-18409/90; A-4161)	4160.130	n	(P-1680)
710.50	am	(P-18409/90; A-4161)	4160.140	n	(P-1680)
710.60	am	(P-18409/90; A-4161)	4160.160	n	(P-1680)
715.10	am	(P-6842)	4160.170	n	(P-1680)
715.20	am	(P-6842)	4160.180	n	(P-1680)
715.30	am	(P-6842)			
715.40	am	(P-6842)			
720.10	am	(P-6836)			
720.30	am	(P-6836)			
720.40	am	(P-6836)			
730.10	am	(P-4200; A-9951)			
730.20	am	(P-4200; A-9951)			
730.30	am	(P-4200; A-9951)			
740.10	am	(P-4222; A-10057)			
740.20	am	(P-4222; A-10057)			

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405.15	am	(P-1; A-5642)
405.17	am	(P-1; A-5642)
405.20	am	(P-1; A-5642)
405.30	am	(P-1; A-5642)
405.40	am	(P-1; A-5642)
405.50	am	(P-1; A-5642)

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405.60	am	(P-1; A-5642)
405.70	am	(P-1; A-5642)
405.80	am	(P-1; A-5642)
415.15	am	(P-15228/90; A-988)
415.20	am	(P-15228/90; A-988)
415.30	am	(P-15228/90; A-988)
415.70	n	(P-15228/90; A-988)
460.10	am	(P-18421/90; A-3479)
460.12	am	(P-18421/90; A-3479)
460.15	am	(P-18421/90; A-3479)
460.20	am	(P-18421/90; A-3479)
460.30	am	(P-18421/90; A-3479)
460.40	am	(P-18421/90; A-3479)
460.50	am	(P-18421/90; A-3479)
460.60	am	(P-18421/90; A-3479)
460.70	am	(P-18421/90; A-3479)
460.80	am	(P-18421/90; A-3479)
460.90	am	(P-18421/90; A-3479)
502.20	am	(P-5935)
701.270	am	(P-7861)
1215.10	n	(P-12398/90; A-1107)
1215.20	n	(P-12398/90; A-1107)
1215.30	n	(P-12398/90; A-1107)
1215.40	n	(P-12398/90; A-1107)
1215.50	n	(P-12398/90; A-1107)
1225.10	n	(P-16847/90; A-5886)
1225.20	n	(P-16847/90; A-5886)
1225.30	n	(P-16847/90; A-5886)
1225.40	n	(P-16847/90; A-5886)
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1560.20	n	(P-8800/90; A-7034)
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54.320	am	(P-9237)
54.330	am	(P-9237)
54.340	am	(P-9237)
54.350	am	(P-9237)
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54.420	am	(P-9237)
54.430	am	(P-9237)
54.440	am	(P-9237)
54.450	am	(P-9237)
226.40	am	(P-11068/90; A-40)
226.520	am	(P-11068/90; A-40)
226.525	am	(P-11068/90; A-40)
226.552	am	(P-11068/90; A-40)
226.555	am	(P-11068/90; A-40)
226.560	am	(P-11068/90; A-40)
226.605	am	(P-11068/90; A-40)
226.612	am	(P-11068/90; A-40)

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210.A.P.	n	(P-3814/90; A-4450)

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331.10	am	(P-15672/90; A-90)
331.20	am	(P-15672/90; A-90)
331.30	am	(P-15672/90; A-90)
331.110	am	(P-15672/90; A-90)
331.120	am	(P-15672/90; A-90)
331.130	am	(P-15672/90; A-90)
331.200	am	(P-15672/90; A-90)
331.210	am	(P-15672/90; A-90)
331.310	am	(P-15672/90; A-90)
331.A.P.	n	(P-15672/90; A-90)
331.B.C	n	(P-15672/90; A-90)
360.20	am	(P-6940/90; A-6180)
360.30	am	(P-6940/90; A-6180)
360.40	am	(P-6940/90; A-6180)
360.60	am	(P-6940/90; A-6180)
360.70	am	(P-6940/90; A-6180)
360.71	am	(P-6940/90; A-6180)
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360.II. B	n	(P-6940/90; A-6180)
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360.Tb. C	am	(P-6940/90; A-6180)
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370.25	r	(P-11653/90; RC-8316)

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370.40	r	(P-11653/90; RC-8316)	218.110	(P-3675)	218.960
401.20	ann	(P-1390; A-7054)	218.111	(P-3675)	218.963
401.30	ann	(P-1390; A-7054)	218.112	(P-3675)	218.966
401.40	ann	(P-1390; A-7054)	218.121	(P-3675)	218.967
401.50	ann	(P-1390; A-7054)	218.122	(P-3675)	218.968
401.60	ann	(P-1390; A-7054)	218.123	(P-3675)	218.980
401.70	ann	(P-1390; A-7054)	218.124	(P-3675)	218.983
401.80	ann	(P-1390; A-7054)	218.125	(P-3675)	218.986
401.90	ann	(P-1390; A-7054)	218.126	(P-3675)	218.987
401.100	ann	(P-1390; A-7054)	218.127	(P-3675)	218.988
401.110	ann	(P-1390; A-7054)	218.128	(P-3675)	218.989
401.120	ann	(P-1390; A-7054)	218.129	(P-3675)	218.990
401.130	ann	(P-1390; A-7054)	218.130	(P-3675)	218.991
401.140	ann	(P-1390; A-7054)	218.131	(P-3675)	218.992
401.150	ann	(P-1390; A-7054)	218.132	(P-3675)	218.993
401.160	ann	(P-1390; A-7054)	218.133	(P-3675)	218.994
401.170	ann	(P-1390; A-7054)	218.134	(P-3675)	218.995
401.180	ann	(P-1390; A-7054)	218.135	(P-3675)	218.996
401.190	ann	(P-1390; A-7054)	218.136	(P-3675)	218.997
401.200	ann	(P-1390; A-7054)	218.137	(P-3675)	218.998
401.210	ann	(P-1390; A-7054)	218.138	(P-3675)	218.999
401.220	ann	(P-1390; A-7054)	218.139	(P-3675)	219.000
401.230	ann	(P-1390; A-7054)	218.140	(P-3675)	219.001
401.240	ann	(P-1390; A-7054)	218.141	(P-3675)	219.002
401.250	ann	(P-1390; A-7054)	218.142	(P-3675)	219.003
401.260	ann	(P-1390; A-7054)	218.143	(P-3675)	219.004
401.270	ann	(P-1390; A-7054)	218.144	(P-3675)	219.005
401.280	ann	(P-1390; A-7054)	218.145	(P-3675)	219.006
401.290	ann	(P-1390; A-7054)	218.146	(P-3675)	219.007
401.300	ann	(P-1390; A-7054)	218.147	(P-3675)	219.008
401.310	ann	(P-1390; A-7054)	218.148	(P-3675)	219.009
401.320	ann	(P-1390; A-7054)	218.149	(P-3675)	219.010
401.330	ann	(P-1390; A-7054)	218.150	(P-3675)	219.011
401.340	ann	(P-1390; A-7054)	218.151	(P-3675)	219.012
401.350	ann	(P-1390; A-7054)	218.152	(P-3675)	219.013
401.360	ann	(P-1390; A-7054)	218.153	(P-3675)	219.014
401.370	ann	(P-1390; A-7054)	218.154	(P-3675)	219.015
401.380	ann	(P-1390; A-7054)	218.155	(P-3675)	219.016
401.390	ann	(P-1390; A-7054)	218.156	(P-3675)	219.017
401.400	ann	(P-1390; A-7054)	218.157	(P-3675)	219.018
401.410	ann	(P-1390; A-7054)	218.158	(P-3675)	219.019
401.420	ann	(P-1390; A-7054)	218.159	(P-3675)	219.020
401.430	ann	(P-1390; A-7054)	218.160	(P-3675)	219.021
401.440	ann	(P-1390; A-7054)	218.161	(P-3675)	219.022
401.450	ann	(P-1390; A-7054)	218.162	(P-3675)	219.023
401.460	ann	(P-1390; A-7054)	218.163	(P-3675)	219.024
401.470	ann	(P-1390; A-7054)	218.164	(P-3675)	219.025
401.480	ann	(P-1390; A-7054)	218.165	(P-3675)	219.026
401.490	ann	(P-1390; A-7054)	218.166	(P-3675)	219.027
401.500	ann	(P-1390; A-7054)	218.167	(P-3675)	219.028
401.510	ann	(P-1390; A-7054)	218.168	(P-3675)	219.029
401.520	ann	(P-1390; A-7054)	218.169	(P-3675)	219.030
401.530	ann	(P-1390; A-7054)	218.170	(P-3675)	219.031



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219.450	n	(P-3892)	219.926	n	(P-3892)	230.490	r	(P-741)	616.104	n	(P-9836)
219.451	n	(P-3892)	219.927	n	(P-3892)	230.500	r	(P-741)	616.105	n	(P-9836)
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219.462	n	(P-3892)	219.946	n	(P-3892)	230.550	r	(P-741)	616.204	n	(P-9836)
219.463	n	(P-3892)	219.947	n	(P-3892)	230.560	r	(P-741)	616.205	n	(P-9836)
219.464	n	(P-3892)	219.948	n	(P-3892)	230.570	r	(P-741)	616.206	n	(P-9836)
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219.466	n	(P-3892)	219.963	n	(P-3892)	230.590	r	(P-741)	616.208	n	(P-9836)
219.480	n	(P-3892)	219.966	n	(P-3892)	230.600	r	(P-741)	616.209	n	(P-9836)
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219.482	n	(P-3892)	219.968	n	(P-3892)	230.690	r	(P-741)	616.211	n	(P-9836)
219.483	n	(P-3892)	219.980	n	(P-3892)	230.700	r	(P-741)	616.301	n	(P-9836)
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219.523	n	(P-3892)	219.Ap. C	n	(P-3892)	230.780	r	(P-741)	616.421	n	(P-9836)
219.526	n	(P-3892)	219.Ap. D	n	(P-3892)	230.780	r	(P-741)	616.422	n	(P-9836)
219.527	n	(P-3892)	230.110	r	(P-741)	230.780	r	(P-741)	616.423	n	(P-9836)
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219.563	n	(P-3892)	230.150	r	(P-741)	230.780	r	(P-741)	616.442	n	(P-9836)
219.581	n	(P-3892)	230.160	r	(P-741)	230.780	r	(P-741)	616.443	n	(P-9836)
219.582	n	(P-3892)	230.170	r	(P-741)	230.780	r	(P-741)	616.444	n	(P-9836)
219.583	n	(P-3892)	230.180	r	(P-741)	230.780	r	(P-741)	616.445	n	(P-9836)
219.584	n	(P-3892)	230.190	r	(P-741)	230.780	r	(P-741)	616.446	n	(P-9836)
219.585	n	(P-3892)	230.190	r	(P-741)	230.780	r	(P-741)	616.447	n	(P-9836)
219.601	n	(P-3892)	230.200	r	(P-741)	230.780	r	(P-741)	616.461	n	(P-9836)
219.602	n	(P-3892)	230.210	r	(P-741)	230.780	r	(P-741)	616.462	n	(P-9836)
219.603	n	(P-3892)	230.211	r	(P-741)	230.780	r	(P-741)	616.463	n	(P-9836)
219.604	n	(P-3892)	230.212	r	(P-741)	230.780	r	(P-741)	616.464	n	(P-9836)
219.605	n	(P-3892)	230.220	r	(P-741)	230.780	r	(P-741)	616.501	n	(P-9836)
219.606	n	(P-3892)	230.230	r	(P-741)	230.780	r	(P-741)	616.502	n	(P-9836)
219.607	n	(P-3892)	230.240	r	(P-741)	230.780	r	(P-741)	616.601	n	(P-9836)
219.608	n	(P-3892)	230.241	r	(P-741)	230.780	r	(P-741)	616.602	n	(P-9836)
219.609	n	(P-3892)	230.250	r	(P-741)	230.780	r	(P-741)	616.603	n	(P-9836)
219.610	n	(P-3892)	230.260	r	(P-741)	230.780	r	(P-741)			

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TITLE 35 (CONT'D)		TITLE 35 (CONT'D)		TITLE 35 (CONT'D)	
721.120	am	(P-2075; A-9332) (P-1392590; A-7934)	725.329	am	(P-2145; A-9398)
721.121	am	(P-2075; A-9332)	725.356	am	(P-2145; A-9398)
721.122	am	(P-2075; A-9332) (P-1392590; A-7934)	725.381	am	(P-2145; A-9398)
721.123	am	(P-2075; A-9332)	725.412	am	(P-2145; A-9398)
721.124	am	(P-2075; A-9332)	725.416	am	(P-2145; A-9398)
721.131	am	(P-2075; A-9332) (P-6001)	725.540	n	(P-6043)
721.132	am	(P-2075; A-9332)	725.541	n	(P-6043)
721.133	am	(P-2075; A-9332)	725.542	n	(P-6043)
721.135	n	(P-6001)	725.543	n	(P-6043)
721.Ap. C	am	(P-2075; A-9332) (P-6001)	725.544	n	(P-6043)
721.Ap. G	am	(P-2075; A-9332) (P-6001)	725.545	n	(P-6043)
721.Ap. H	am	(P-6001)	725.930	n	(P-2145; A-9398)
721.Ap. I	am	(P-9288)	725.931	n	(P-2145; A-9398)
722.111	am	(P-2404; A-9644)	725.932	n	(P-2145; A-9398)
722.134	am	(P-2404; A-9644)	725.933	n	(P-2145; A-9398)
724.113	am	(P-2414; A-9654)	725.934	n	(P-2145; A-9398)
724.115	am	(P-2414; A-9654)	725.935	n	(P-2145; A-9398)
724.173	am	(P-2414; A-9654)	725.950	n	(P-2145; A-9398)
724.177	am	(P-2414; A-9654)	725.951	n	(P-2145; A-9398)
724.179	am	(P-2414; A-9654)	725.952	n	(P-2145; A-9398)
724.220	am	(P-6073)	725.953	n	(P-2145; A-9398)
724.321	am	(P-2414; A-9654)	725.954	n	(P-2145; A-9398)
724.329	am	(P-2414; A-9654)	725.955	n	(P-2145; A-9398)
724.356	am	(P-2414; A-9654)	725.956	n	(P-2145; A-9398)
724.381	am	(P-2414; A-9654)	725.957	n	(P-2145; A-9398)
724.401	am	(P-2414; A-9654)	725.958	n	(P-2145; A-9398)
724.412	am	(P-2414; A-9654)	725.959	n	(P-2145; A-9398)
724.416	am	(P-2414; A-9654)	725.960	n	(P-2145; A-9398)
724.670	am	(P-6073)	725.961	n	(P-2145; A-9398)
724.671	am	(P-6073)	725.962	n	(P-2145; A-9398)
724.672	am	(P-6073)	725.963	n	(P-2145; A-9398)
724.673	am	(P-6073)	725.964	n	(P-2145; A-9398)
724.674	am	(P-6073)	726.132	r	(P-2487; A-9727)
724.675	am	(P-6073)	728.101	am	(P-2209; A-9462)
724.930	n	(P-2414; A-9654)	728.102	am	(P-2209; A-9462)
724.931	n	(P-2414; A-9654)	728.103	am	(P-2209; A-9462)
724.932	n	(P-2414; A-9654)	728.105	am	(P-2209; A-9462)
724.933	n	(P-2414; A-9654)	728.107	am	(P-2209; A-9462)
724.934	n	(P-2414; A-9654)	728.108	r	(P-2209; A-9462)
724.935	n	(P-2414; A-9654)	728.109	n	(P-2209; A-9462)
724.936	n	(P-2414; A-9654)	728.113	n	(P-2209; A-9462)
724.950	n	(P-2414; A-9654)	728.140	am	(P-2209; A-9462)
724.951	n	(P-2414; A-9654)	728.141	am	(P-2209; A-9462)
724.952	n	(P-2414; A-9654)	728.142	am	(P-2209; A-9462)
724.953	n	(P-2414; A-9654)	728.143	am	(P-2209; A-9462)
724.954	n	(P-2414; A-9654)	728.Ap.D	n	(P-2209; A-9462)
724.955	n	(P-2414; A-9654)	728.Ap.E	n	(P-2209; A-9462)
724.956	n	(P-2414; A-9654)	728.Ap.F	n	(P-2209; A-9462)
724.957	n	(P-2414; A-9654)	728.Ap.G	n	(P-2209; A-9462)
724.958	n	(P-2414; A-9654)	728.Ap.H	n	(P-2209; A-9462)
724.959	n	(P-2414; A-9654)	728.Tb.A	am	(P-2209; A-9462)
724.960	n	(P-2414; A-9654)	728.Tb.B	am	(P-2209; A-9462)
724.961	n	(P-2414; A-9654)	728.Tb.C	n	(P-2209; A-9462)
724.962	n	(P-2414; A-9654)	728.Tb.D	n	(P-2209; A-9462)
724.963	n	(P-2414; A-9654)	728.Tb.E	n	(P-2209; A-9462)

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TITLE 35 (CONT'D)			TITLE 38 (CONT'D)			TITLE 38 (CONT'D)			VOL. 15, ISSUE #27		
817.415	n	(P-3173)	870.305	am	(P-15667/90; A-9311)	500.330	r	(P-5162)	1075.140	n	(P-14758/90; A-1916)
817.416	n	(P-3173)				500.330	n	(P-5179)	1075.200	n	(P-14758/90; A-1916)
848.101	n	(P-7763/90; A-7959)				500.340	n	(P-5162)	1075.300	n	(P-14758/90; A-1916)
848.102	n	(P-7763/90; A-7959)				500.340	n	(P-5179)	1075.310	n	(P-14758/90; A-1916)
848.103	n	(P-7763/90; A-7959)				500.350	n	(P-5162)	1075.400	n	(P-14758/90; A-1916)
848.104	n	(P-7763/90; A-7959)				500.360	n	(P-5179)	1075.410	n	(P-14758/90; A-1916)
848.105	n	(P-7763/90; A-7959)				500.370	n	(P-5162)	1075.415	n	(P-14758/90; A-1916)
848.201	n	(P-7763/90; A-7959)				500.380	n	(P-5179)	1075.420	n	(P-14758/90; A-1916)
848.202	n	(P-7763/90; A-7959)				500.390	n	(P-5162)	1075.430	n	(P-14758/90; A-1916)
848.203	n	(P-7763/90; A-7959)				500.400	n	(P-5179)	1075.440	n	(P-14758/90; A-1916)
848.204	n	(P-7763/90; A-7959)				500.410	n	(P-5162)	1075.450	n	(P-14758/90; A-1916)
848.205	n	(P-7763/90; A-7959)				500.420	n	(P-5179)	1075.455	n	(P-14758/90; A-1916)
848.301	n	(P-7763/90; A-7959)				500.430	n	(P-5162)	1075.460	n	(P-14758/90; A-1916)
848.302	n	(P-7763/90; A-7959)				500.440	n	(P-5179)	1075.465	n	(P-14758/90; A-1916)
848.303	n	(P-7763/90; A-7959)				500.450	n	(P-5162)	1075.470	n	(P-14758/90; A-1916)
848.304	n	(P-7763/90; A-7959)				500.460	n	(P-5179)	1075.480	n	(P-14758/90; A-1916)
848.305	n	(P-7763/90; A-7959)				500.470	n	(P-5162)	1075.490	n	(P-14758/90; A-1916)
848.306	n	(P-7763/90; A-7959)				500.480	n	(P-5179)	1075.500	n	(P-14758/90; A-1916)
848.400	n	(P-7763/90; A-7959)				500.490	n	(P-5162)	1075.510	n	(P-14758/90; A-1916)
848.401	n	(P-7763/90; A-7959)				500.500	n	(P-5179)	1075.515	n	(P-14758/90; A-1916)
848.402	n	(P-7763/90; A-7959)				500.510	n	(P-5162)	1075.520	n	(P-14758/90; A-1916)
848.403	n	(P-7763/90; A-7959)				500.520	n	(P-5179)	1075.525	n	(P-14758/90; A-1916)
848.404	n	(P-7763/90; A-7959)				500.530	n	(P-5162)	1075.530	n	(P-14758/90; A-1916)
848.405	n	(P-7763/90; A-7959)				500.540	n	(P-5179)	1075.535	n	(P-14758/90; A-1916)
848.406	n	(P-7763/90; A-7959)				500.550	n	(P-5162)	1075.540	n	(P-14758/90; A-1916)
848.407	n	(P-7763/90; A-7959)				500.560	n	(P-5179)	1075.545	n	(P-14758/90; A-1916)
848.408	n	(P-7763/90; A-7959)				500.570	n	(P-5162)	1075.550	n	(P-14758/90; A-1916)
848.410	n	(P-7763/90; A-7959)				500.580	n	(P-5179)	1075.555	n	(P-14758/90; A-1916)
848.413	n	(P-7763/90; A-7959)				500.590	n	(P-5162)	1075.560	n	(P-14758/90; A-1916)
848.415	n	(P-7763/90; A-7959)				500.600	n	(P-5179)	1075.565	n	(P-14758/90; A-1916)
848.501											



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1075.930	n	(P-14758/90; A-1916)	1075.1290	n	(P-14758/90; A-1916)
1075.933	n	(P-14758/90; A-1916)	1075.1293	n	(P-14758/90; A-1916)
1075.945	n	(P-14758/90; A-1916)	1075.1300	n	(P-14758/90; A-1916)
1075.950	n	(P-14758/90; A-1916)	1075.1303	n	(P-14758/90; A-1916)
1075.955	n	(P-14758/90; A-1916)	1075.1310	n	(P-14758/90; A-1916)
1075.955	n	(P-14758/90; A-1916)	1075.1315	n	(P-14758/90; A-1916)
1075.960	n	(P-14758/90; A-1916)	1075.1320	n	(P-14758/90; A-1916)
1075.965	n	(P-14758/90; A-1916)	1075.1325	n	(P-14758/90; A-1916)
1075.970	n	(P-14758/90; A-1916)	1075.1400	n	(P-14758/90; A-1916)
1075.975	n	(P-14758/90; A-1916)	1075.1403	n	(P-14758/90; A-1916)
1075.980	n	(P-14758/90; A-1916)	1075.1405	n	(P-14758/90; A-1916)
1075.985	n	(P-14758/90; A-1916)	1075.1410	n	(P-14758/90; A-1916)
1075.990	n	(P-14758/90; A-1916)	1075.1415	n	(P-14758/90; A-1916)
1075.995	n	(P-14758/90; A-1916)	1075.1420	n	(P-14758/90; A-1916)
1075.1000	n	(P-14758/90; A-1916)	1075.1425	n	(P-14758/90; A-1916)
1075.1005	n	(P-14758/90; A-1916)	1075.1430	n	(P-14758/90; A-1916)
1075.1010	n	(P-14758/90; A-1916)	1075.1433	n	(P-14758/90; A-1916)
1075.1015	n	(P-14758/90; A-1916)	1075.1440	n	(P-14758/90; A-1916)
1075.1020	n	(P-14758/90; A-1916)	1075.1445	n	(P-14758/90; A-1916)
1075.1025	n	(P-14758/90; A-1916)	1075.1450	n	(P-14758/90; A-1916)
1075.1030	n	(P-14758/90; A-1916)	1075.1500	n	(P-14758/90; A-1916)
1075.1035	n	(P-14758/90; A-1916)	1075.1510	n	(P-14758/90; A-1916)
1075.1040	n	(P-14758/90; A-1916)	1075.1520	n	(P-14758/90; A-1916)
1075.1045	n	(P-14758/90; A-1916)	1075.1530	n	(P-14758/90; A-1916)
1075.1050	n	(P-14758/90; A-1916)	1075.1540	n	(P-14758/90; A-1916)
1075.1055	n	(P-14758/90; A-1916)	1075.1550	n	(P-14758/90; A-1916)
1075.1100	n	(P-14758/90; A-1916)	1075.1600	n	(P-14758/90; A-1916)
1075.1105	n	(P-14758/90; A-1916)	1075.1610	n	(P-14758/90; A-1916)
1075.1110	n	(P-14758/90; A-1916)	1075.1620	n	(P-14758/90; A-1916)
1075.1115	n	(P-14758/90; A-1916)	1075.1630	n	(P-14758/90; A-1916)
1075.1120	n	(P-14758/90; A-1916)	1075.1640	n	(P-14758/90; A-1916)
1075.1125	n	(P-14758/90; A-1916)	1075.1650	n	(P-14758/90; A-1916)
1075.1130	n	(P-14758/90; A-1916)	TITLE 41		
1075.1135	n	(P-14758/90; A-1916)	170.310	an	(P-12373/90; A-7042)
1075.1140	n	(P-14758/90; A-1916)	250.10	n	(P-5322/90; A-5656)
1075.1145	n	(P-14758/90; A-1916)	250.20	n	(P-5322/90; A-5656)
1075.1150	n	(P-14758/90; A-1916)	250.25	n	(P-5322/90; A-5656)
1075.1155	n	(P-14758/90; A-1916)	250.30	n	(P-5322/90; A-5656)
1075.1160	n	(P-14758/90; A-1916)	250.40	n	(P-5322/90; A-5656)
1075.1165	n	(P-14758/90; A-1916)	250.50	n	(P-5322/90; A-5656)
1075.1170	n	(P-14758/90; A-1916)	250.60	n	(P-5322/90; A-5656)
1075.1175	n	(P-14758/90; A-1916)	250.80	n	(P-5322/90; A-5656)
1075.1180	n	(P-14758/90; A-1916)	250.82	n	(P-5322/90; A-5656)
1075.1185	n	(P-14758/90; A-1916)	250.83	n	(P-5322/90; A-5656)
1075.1190	n	(P-14758/90; A-1916)	250.85	n	(P-5322/90; A-5656)
1075.1195	n	(P-14758/90; A-1916)	250.93	n	(P-5322/90; A-5656)
1075.1200	n	(P-14758/90; A-1916)	250.97	n	(P-5322/90; A-5656)
1075.1205	n	(P-14758/90; A-1916)	250.201	n	(P-5322/90; A-5656)
1075.1210	n	(P-14758/90; A-1916)	250.210	n	(P-5322/90; A-5656)
1075.1215	n	(P-14758/90; A-1916)	250.213	n	(P-5322/90; A-5656)
1075.1220	n	(P-14758/90; A-1916)	250.215	n	(P-5322/90; A-5656)
1075.1225	n	(P-14758/90; A-1916)	250.220	n	(P-5322/90; A-5656)
1075.1230	n	(P-14758/90; A-1916)	250.222	n	(P-5322/90; A-5656)
1075.1235	n	(P-14758/90; A-1916)	250.230	n	(P-5322/90; A-5656)
1075.1240	n	(P-14758/90; A-1916)	250.232	n	(P-5322/90; A-5656)
1075.1245	n	(P-14758/90; A-1916)	250.233	n	(P-5322/90; A-5656)
1075.1250	n	(P-14758/90; A-1916)	250.235	n	(P-5322/90; A-5656)
1075.1255	n	(P-14758/90; A-1916)	250.260	n	(P-5322/90; A-5656)
1075.1260	n	(P-14758/90; A-1916)	250.270	n	(P-5322/90; A-5656)
1075.1265	n	(P-14758/90; A-1916)	250.301	n	(P-5322/90; A-5656)
1075.1270	n	(P-14758/90; A-1916)	250.310	n	(P-5322/90; A-5656)
1075.1275	n	(P-14758/90; A-1916)	250.315	n	(P-5322/90; A-5656)
1075.1280	n	(P-14758/90; A-1916)	250.320	n	(P-5322/90; A-5656)
1075.1285	n	(P-14758/90; A-1916)	250.341	n	(P-5322/90; A-5656)

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TITLE 68 (CONT'D)							
1380 Ap-A	am	(P-73469/90; A-247)	245.40	am	(P-14699/90; A-5376)		
1480.10	f	(P-14291/90; A-7081)	245.50	am	(P-14699/90; A-5376)		
1480.20	f	(P-14291/90; A-7081)	245.60	am	(P-14699/90; A-5376)		
1480.30	f	(P-14291/90; A-7081)	245.90	n	(P-14699/90; A-5376)		
1480.40	f	(P-14291/90; A-7081)	245.90	n	(P-14699/90; A-5376)		
1480.45	#	(P-14291/90; A-7081)	245.100	n	(P-14699/90; A-5376)		
1480.50	f	(P-14291/90; A-7081)	245.110	n	(P-14699/90; A-5376)		
1480.55	f	(P-14291/90; A-7081)	245.120	n	(P-14699/90; A-5376)		
1480.60	f	(P-14291/90; A-7081)	245.130	n	(P-14699/90; A-5376)		
1480.65	f	(P-14291/90; A-7081)	245.140	n	(P-14699/90; A-5376)		
1480.70	n	(P-14291/90; A-7081)	245.150	n	(P-14699/90; A-5376)		
1480.75	n	(P-14291/90; A-7081)	245.160	am	(P-16259/90; A-5328)		
1480.80	n	(P-14291/90; A-7081)	250.210	am	(P-16259/90; A-5328)		
1480.85	n	(P-14291/90; A-7081)	250.240	am	(P-16259/90; A-5328)		
1480.90	n	(P-14291/90; A-7081)	250.250	am	(P-4946)		
1480.180	n	(P-14291/90; A-7081)	250.310	am	(P-16259/90; A-5328)		
1480.190	#	(P-14291/90; A-7081)	250.310	am	(P-16259/90; A-5328)		
1480.190	am	(P-14291/90; A-7081)	250.310	am	(P-16259/90; A-5328)		
1480.200	am	(P-14291/90; A-7081)	250.325	am	(P-16259/90; A-5328)		
1480.210	n	(P-14291/90; A-7081)	250.610	am	(P-4946)		
1480.220	#	(P-14291/90; A-7081)	250.725	am	(P-16259/90; A-5328)		
1480.220	am	(P-14291/90; A-7081)	250.1510	am	(P-16259/90; A-5328)		
1500.25	am	(P-8635)	250.1740	am	(P-4946)		
1500.35	am	(P-8635)	250.1750	am	(P-4946)		
1500.45	am	(P-8635)	250.2420	am	(P-4946)		
			250.2440	am	(P-4946)		
			250.2450	am	(P-4946)		
			300.120	am	(P-4367)		
	am	(P-18359/90; A-8696)	300.330	am	(P-9957/90; A-554) (P-4367)		
280.20	am	(P-18359/90; A-8696)	300.330	am	(P-9957/90; A-554)		
280.35	am	(P-18359/90; O-5112; R-8724; A-8696)	300.620	am	(P-4367)		
			300.1010	am	(P-9957/90; A-554)		
			300.3220	am	(P-9957/90; A-554)		
285.1102	am	(P-17139/90; A-5070)	300.3240	am	(P-9957/90; A-554)		
285.1106	am	(P-17139/90; A-5070)	300.3240	am	(P-9957/90; A-554)		
420.630	am	(P-15645/90; A-3429)	300.3260	am	(P-9957/90; A-554)		
420.640	am	(P-15645/90; A-3429)	330.120	am	(P-4338)		
750.10	n	(P-1791; RC-8317)	330.330	am	(P-9920/90; A-516) (P-4338)		
750.20	n	(P-1791; RC-8317)	330.913	f	(P-9920/90; A-516)		
750.30	n	(P-1791; RC-8317)	330.1110	am	(P-9920/90; A-516)		
750.40	n	(P-1791; RC-8317)	330.4220	am	(P-9920/90; A-516)		
750.50	n	(P-1791; RC-8317)	330.4240	am	(P-9920/90; A-516)		
750.60	n	(P-1791; RC-8317)	330.4260	am	(P-9920/90; A-516)		
750.70	n	(P-1791; RC-8317)	350.120	am	(P-4280)		
750.70	n	(P-1791; RC-8317)	350.330	am	(P-9833/90; A-466) (P-4280)		
750.80	n	(P-1791; RC-8317)	350.680	am	(P-9833/90; A-466)		
750.90	n	(P-1791; RC-8317)	350.1220	am	(P-9833/90; A-466)		
750.100	n	(P-1791; RC-8317)	350.3220	am	(P-9833/90; A-466)		
750.110	n	(P-1791; RC-8317)	350.3240	am	(P-9833/90; A-466)		
750.120	n	(P-1791; RC-8317)	350.3260	am	(P-9833/90; A-466)		
			350.3710	am	(P-9833/90; A-466)		
			350.3720	am	(P-9833/90; A-466)		
	am	(P-4932)	350.3730	am	(P-9833/90; A-466)		
205.810	f	(P-4932)	350.3750	am	(P-9833/90; A-466)		
205.820	n	(P-4932)	350.3770	am	(P-9833/90; A-466)		
205.830	f	(P-4932)	350.3780	am	(P-9833/90; A-466)		
205.830	n	(P-4932)	350.3810	am	(P-9833/90; A-466)		
205.840	n	(P-4932)	350.3880	am	(P-9833/90; A-466)		
205.850	n	(P-4932)	350.3900	am	(P-9833/90; A-466)		
205.850	f	(P-4932)	350.3940	am	(P-9833/90; A-466)		
205.860	n	(P-4932)	350.4010	am	(P-9833/90; A-466)		
205.860	n	(P-4932)	350.Tb, D	am	(P-9833/90; A-466)		
205.860	n	(P-4932)	350.Tb, E	am	(P-4309)		
245.10	am	(P-14699/90; A-5376)	390.120	am	(P-9883/90; A-1878) (P-4309)		
245.20	am	(P-14699/90; A-5376)	390.330	am	(P-9883/90; A-1878)		
245.25	n	(P-14699/90; A-5376)	390.1030	am	(P-9883/90; A-1878)		
245.30	am	(P-14699/90; A-5376)		am			

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2030.440	r	(P-9153)	2030.1140	r	(P-9153)
2030.440	n	(P-9083)	2030.1150	n	(P-9083)
2030.440	n	(P-9083)	2030.1160	n	(P-9083)
2030.450	r	(P-9153)	2030.1205	r	(P-9153)
2030.450	n	(P-9083)	2030.1205	n	(P-9083)
2030.510	r	(P-9083)	2030.1210	r	(P-9153)
2030.520	n	(P-9083)	2030.1210	n	(P-9083)
2030.530	r	(P-9083)	2030.1215	r	(P-9153)
2030.540	n	(P-9083)	2030.1215	n	(P-9083)
2030.550	r	(P-9083)	2030.1220	r	(P-9153)
2030.610	n	(P-9153)	2030.1220	n	(P-9083)
2030.610	r	(P-9083)	2030.1225	r	(P-9153)
2030.620	n	(P-9153)	2030.1225	n	(P-9083)
2030.620	r	(P-9083)	2030.1230	r	(P-9153)
2030.630	n	(P-9153)	2030.1230	n	(P-9083)
2030.640	r	(P-9153)	2030.1235	r	(P-9153)
2030.710	n	(P-9153)	2030.1240	n	(P-9153)
2030.710	r	(P-9083)	2030.1245	r	(P-9153)
2030.720	n	(P-9153)	2030.1245	n	(P-9083)
2030.720	r	(P-9083)	2030.1250	r	(P-9153)
2030.730	n	(P-9153)	2030.1250	n	(P-9083)
2030.740	r	(P-9153)	2030.1255	r	(P-9153)
2030.740	n	(P-9083)	2030.1255	n	(P-9083)
2030.750	r	(P-9153)	2030.1260	r	(P-9153)
2030.750	n	(P-9083)	2030.1265	n	(P-9153)
2030.760	r	(P-9153)	2030.1270	r	(P-9153)
2030.760	n	(P-9083)	2030.1310	n	(P-9153)
2030.810	r	(P-9153)	2030.1320	r	(P-9153)
2030.810	n	(P-9083)	2030.1320	n	(P-9083)
2030.820	r	(P-9153)	2030.1330	r	(P-9153)
2030.820	n	(P-9083)	2030.1340	n	(P-9153)
2030.830	r	(P-9153)	2030.1350	r	(P-9153)
2030.840	n	(P-9083)	2031.10	n	(P-9149)
2030.850	r	(P-9083)	2032.10	r	(P-9218)
2030.910	n	(P-9153)	2032.15	n	(P-9218)
2030.910	r	(P-9083)	2032.20	r	(P-9218)
2030.920	n	(P-9153)	2032.25	n	(P-9218)
2030.930	r	(P-9153)	2032.30	r	(P-9218)
2030.940	n	(P-9083)	2032.35	n	(P-9218)
2030.950	r	(P-9153)	2032.40	r	(P-9218)
2030.960	n	(P-9083)	2032.45	n	(P-9218)
2030.970	r	(P-9153)	2032.50	r	(P-9218)
2030.980	n	(P-9083)	2032.55	n	(P-9218)
2030.1010	r	(P-9153)	2032.60	r	(P-9218)
2030.1010	n	(P-9083)	2032.60	n	(P-6457/90; A-2597) (P-8337)
2030.1020	r	(P-9153)	2032.60	r	(P-6457/90; A-2597) (P-8337)
2030.1020	n	(P-9083)	2032.60	n	(P-6457/90; A-2597) (P-8337)
2030.1030	r	(P-9153)	2032.60	r	(P-6457/90; A-2597) (P-8337)
2030.1030	n	(P-9083)	2032.60	n	(P-6457/90; A-2597) (P-8337)
2030.1040	r	(P-9153)	2032.60	r	(P-6457/90; A-2597) (P-8337)
2030.1040	n	(P-9083)	2032.60	n	(P-6457/90; A-2597) (P-8337)
2030.1050	r	(P-9153)	2032.60	r	(P-6457/90; A-2597) (P-8337)
2030.1050	n	(P-9083)	2032.60	n	(P-6457/90; A-2597) (P-8337)
2030.1060	r	(P-9153)	2032.60	r	(P-6457/90; A-2597) (P-8337)
2030.1060	n	(P-9083)	2032.60	n	(P-6457/90; A-2597) (P-8337)
2030.1070	r	(P-9153)	2032.60	r	(P-6457/90; A-2597) (P-8337)
2030.1070	n	(P-9083)	2032.60	n	(P-6457/90; A-2597) (P-8337)
2030.1080	r	(P-9153)	2032.60	r	(P-6457/90; A-2597) (P-8337)
2030.1080	n	(P-9083)	2032.60	n	(P-6457/90; A-2597) (P-8337)
2030.1090	r	(P-9153)	2032.60	r	(P-6457/90; A-2597) (P-8337)
2030.1090	n	(P-9083)	2032.60	n	(P-6457/90; A-2597) (P-8337)
2030.1100	r	(P-9153)	2032.60	r	(P-6457/90; A-2597) (P-8337)
2030.1100	n	(P-9083)	2032.60	n	(P-6457/90; A-2597) (P-8337)
2030.1110	r	(P-9153)	2032.60	r	(P-6457/90; A-2597) (P-8337)
2030.1110	n	(P-9083)	2032.60	n	(P-6457/90; A-2597) (P-8337)
2030.1120	r	(P-9153)	2032.60	r	(P-6457/90; A-2597) (P-8337)
2030.1120	n	(P-9083)	2032.60	n	(P-6457/90; A-2597) (P-8337)
2030.1130	r	(P-9153)	2032.60	r	(P-6457/90; A-2597) (P-8337)
2030.1130	n	(P-9083)	2032.60	n	(P-6457/90; A-2597) (P-8337)
2030.1130	r	(P-9153)	2032.60	r	(P-6457/90; A-2597) (P-8337)
2030.1130	n	(P-9083)	2032.60	n	(P-6457/90; A-2597) (P-8337)

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790.4384	am	(P-18457/90; A-6566)	920.90	am	(P-6460)
790.4420	am	(P-3417; E-3537)	920.100	am	(P-6460)
790.4495	n	(P-3417; E-3537)	920.110	am	(P-6460)
790.4580	am	(P-3417; E-3537)	920.120	am	(P-6460)
790.4660	am	(P-3417; E-3537)	920.130	am	(P-6460)
790.4720	am	(P-18457/90; A-6566)	920.170	n	(P-6460)
790.4725	am	(P-18457/90; A-6566)	920.180	n	(P-6460)
790.4728	am	(P-18457/90; A-6566)	920.190	am	(P-6460)
790.4740	am	(P-3417; E-3537)	920.200	am	(P-6460)
790.5030	n	(P-18457/90; A-6566)	920.210	am	(P-6460)
790.5220	am	(P-3417; E-3537)	920.220	am	(P-6460)
790.5300	am	(P-18457/90; A-6566)	920.230	am	(P-6460)
790.5312	am	(P-3417; E-3537)	920.240	am	(P-6460)
790.5320	am	(P-18457/90; A-6566)	920.250	am	(P-6460)
790.5420	am	(P-3417; E-3537)	920.260	am	(P-6460)
790.5483	am	(P-3417; E-3537)	920.270	am	(P-6460)
790.5660	am	(P-3417; E-3537)	920.280	am	(P-6460)
790.5820	am	(P-3417; E-3537)	920.290	am	(P-6460)
790.5830	am	(P-3417; E-3537)	920.300	am	(P-6460)
790.5900	am	(P-3417; E-3537)	920.310	am	(P-6460)
790.5924	am	(P-3417; E-3537)	920.320	am	(P-6460)
790.6300	am	(P-18457/90; A-6566)	920.330	am	(P-6460)
790.6430	n	(P-18457/90; A-6566)	920.340	am	(P-6460)
790.6505	n	(P-3417; E-3537)	920.350	am	(P-6460)
790.6875	am	(P-3417; E-3537)	920.360	am	(P-6460)
790.6960	am	(P-3417; E-3537)	920.370	am	(P-6460)
790.7120	am	(P-3417; E-3537)	920.380	am	(P-6460)
790.7160	am	(P-18457/90; A-6566)	920.390	am	(P-6460)
790.7221	n	(P-3417; E-3537)	920.400	am	(P-6460)
790.7245	n	(P-3417; E-3537)	920.410	am	(P-6460)
790.7280	am	(P-18457/90; A-6566)	920.420	am	(P-6460)
790.7278	am	(P-3417; E-3537)	920.430	am	(P-6460)
790.7280	am	(P-3417; E-3537)	920.440	am	(P-6460)
790.7740	am	(P-3417; E-3537)	920.450	am	(P-6460)
790.7820	am	(P-3417; E-3537)	920.460	am	(P-6460)
790.8015	am	(P-3417; E-3537) (P-18457/90; A-6566)	920.470	am	(P-6460)
790.8020	am	(P-3417; E-3537)	920.480	am	(P-6460)
790.8290	am	(P-3417; E-3537)	920.490	am	(P-6460)
790.8500	am	(P-3417; E-3537)	920.500	am	(P-6460)
790.8580	am	(P-3417; E-3537)	920.510	am	(P-6460)
790.8620	am	(P-3417; E-3537)	920.520	am	(P-6460)
790.9048	am	(P-18457/90; A-6566)	920.530	am	(P-6460)
790.9056	am	(P-3417; E-3537)	920.540	am	(P-6460)
790.9220	am	(P-3417; E-3537)	920.550	am	(P-6460)
790.9420	am	(P-3417; E-3537)	920.560	am	(P-6460)
790.9460	am	(P-3417; E-3537)	920.570	am	(P-6460)
790.9500	am	(P-3417; E-3537)	920.580	am	(P-6460)
790.9580	am	(P-3417; E-3537)	920.590	am	(P-6460)
895.10	am	(P-3005)	920.600	am	(P-6460)
895.20	am	(P-3005)	920.610	am	(P-6460)
895.30	am	(P-3005)	920.620	am	(P-6460)
895.40	am	(P-3005)	920.630	am	(P-6460)
895.50	am	(P-3005)	920.640	am	(P-6460)
920.10	am	(P-6460)	920.650	am	(P-6460)
920.15	am	(P-6460)	920.660	am	(P-6460)
920.20	am	(P-6460)	920.670	am	(P-6460)
920.30	am	(P-6460)	920.680	am	(P-6460)
920.40	am	(P-6460)	920.690	am	(P-6460)
920.50	am	(P-6460)	920.700	am	(P-6460)
920.60	am	(P-6460)	920.710	am	(P-6460)
920.70	am	(P-6460)	920.720	am	(P-6460)
920.80	am	(P-6460)	920.730	am	(P-6460)





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755.22	n	(P-8522)	n	(P-5141)	37.110	(P-3275; A-9047)	530.110
755.25	am	(P-8522)	am	(P-5141)	37.120	(P-3275; A-9047)	530.110
755.30	am	(P-8522)	am		37.130	(P-3275; A-9047)	530.112
755.40	am	(P-8522)	am		37.140	(P-3275; A-9047)	530.113
755.50	r	(P-8522)	r	(P-3231; A-9045)	37.150	(P-3275; A-9047)	530.114
755.60	n	(P-8522)	n	(P-3231; A-9045)	37.160	(P-3275; A-9047)	530.115
755.70	n	(P-8522)	n	(P-3231; A-9045)	37.170	(P-3275; A-9047)	530.116
755.80	n	(P-8522)	n	(P-3231; A-9045)	37.180	(P-3275; A-9047)	530.117
755.90	n	(P-8522)	n	(P-3231; A-9045)	37.190	(P-3275; A-9047)	530.118
756.00	n	(P-8522)	n	(P-3231; A-9045)	37.200	(P-3275; A-9047)	530.119
756.10	n	(P-8522)	n	(P-3231; A-9045)	37.210	(P-3275; A-9047)	530.120
756.20	n	(P-8522)	n	(P-3231; A-9045)	37.220	(P-3275; A-9047)	530.121
756.30	n	(P-8522)	n	(P-3231; A-9045)	37.230	(P-3275; A-9047)	530.122
756.40	n	(P-8522)	n	(P-3231; A-9045)	37.240	(P-3275; A-9047)	530.123
756.50	n	(P-8522)	n	(P-3231; A-9045)	37.250	(P-3275; A-9047)	530.124
756.60	n	(P-8522)	n	(P-3231; A-9045)	37.260	(P-3275; A-9047)	530.125
756.70	n	(P-8522)	n	(P-3231; A-9045)	37.270	(P-3275; A-9047)	530.126
756.80	n	(P-8522)	n	(P-3231; A-9045)	37.280	(P-3275; A-9047)	530.127
756.90	n	(P-8522)	n	(P-3231; A-9045)	37.290	(P-3275; A-9047)	530.128
757.00	n	(P-8522)	n	(P-3231; A-9045)	37.300	(P-3275; A-9047)	530.129
757.10	n	(P-8522)	n	(P-3231; A-9045)	37.310	(P-3275; A-9047)	530.130
757.20	n	(P-8522)	n	(P-3231; A-9045)	37.320	(P-3275; A-9047)	530.131
757.30	n	(P-8522)	n	(P-3231; A-9045)	37.330	(P-3275; A-9047)	530.132
757.40	n	(P-8522)	n	(P-3231; A-9045)	37.340	(P-3275; A-9047)	530.133
757.50	n	(P-8522)	n	(P-3231; A-9045)	37.350	(P-3275; A-9047)	530.134
757.60	n	(P-8522)	n	(P-3231; A-9045)	37.360	(P-3275; A-9047)	530.135
757.70	n	(P-8522)	n	(P-3231; A-9045)	37.370	(P-3275; A-9047)	530.136
757.80	n	(P-8522)	n	(P-3231; A-9045)	37.380	(P-3275; A-9047)	530.137
757.90	n	(P-8522)	n	(P-3231; A-9045)	37.390	(P-3275; A-9047)	530.138
758.00	n	(P-8522)	n	(P-3231; A-9045)	37.400	(P-3275; A-9047)	530.139
758.10	n	(P-8522)	n	(P-3231; A-9045)	37.410	(P-3275; A-9047)	530.140
758.20	n	(P-8522)	n	(P-3231; A-9045)	37.420	(P-3275; A-9047)	530.141
758.30	n	(P-8522)	n	(P-3231; A-9045)	37.430	(P-3275; A-9047)	530.142
758.40	n	(P-8522)	n	(P-3231; A-9045)	37.440	(P-3275; A-9047)	530.143
758.50	n	(P-8522)	n	(P-3231; A-9045)	37.450	(P-3275; A-9047)	530.144
758.60	n	(P-8522)	n	(P-3231; A-9045)	37.460	(P-3275; A-9047)	530.145
758.70	n	(P-8522)	n	(P-3231; A-9045)	37.470	(P-3275; A-9047)	530.146
758.80	n	(P-8522)	n	(P-3231; A-9045)	37.480	(P-3275; A-9047)	530.147
758.90	n	(P-8522)	n	(P-3231; A-9045)	37.490	(P-3275; A-9047)	530.148
759.00	n	(P-8522)	n	(P-3231; A-9045)	37.500	(P-3275; A-9047)	530.149
759.10	n	(P-8522)	n	(P-3231; A-9045)	37.510	(P-3275; A-9047)	530.150
759.20	n	(P-8522)	n	(P-3231; A-9045)	37.520	(P-3275; A-9047)	530.151
759.30	n	(P-8522)	n	(P-3231; A-9045)	37.530	(P-3275; A-9047)	530.152
759.40	n	(P-8522)	n	(P-3231; A-9045)	37.540	(P-3275; A-9047)	530.153
759.50	n	(P-8522)	n	(P-3231; A-9045)	37.550	(P-3275; A-9047)	530.154
759.60	n	(P-8522)	n	(P-3231; A-9045)	37.560	(P-3275; A-9047)	530.155
759.70	n	(P-8522)	n	(P-3231; A-9045)	37.570	(P-3275; A-9047)	530.156
759.80	n	(P-8522)	n	(P-3231; A-9045)	37.580	(P-3275; A-9047)	530.157
759.90	n	(P-8522)	n	(P-3231; A-9045)	37.590	(P-3275; A-9047)	530.158
760.00	n	(P-8522)	n	(P-3231; A-9045)	37.600	(P-3275; A-9047)	530.159
760.10	n	(P-8522)	n	(P-3231; A-9045)	37.610	(P-3275; A-9047)	530.160
760.20	n	(P-8522)	n	(P-3231; A-9045)	37.620	(P-3275; A-9047)	530.161
760.30	n	(P-8522)	n	(P-3231; A-9045)	37.630	(P-3275; A-9047)	530.162
760.40	n	(P-8522)	n	(P-3231; A-9045)	37.640	(P-3275; A-9047)	530.163
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760.60	n	(P-8522)	n	(P-3231; A-9045)	37.660	(P-3275; A-9047)	530.165
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760.90	n	(P-8522)	n	(P-3231; A-9045)	37.690	(P-3275; A-9047)	530.168
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